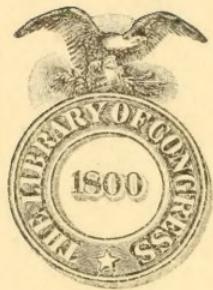


HISTORY OF THE
UNITED STATES
1776-1865

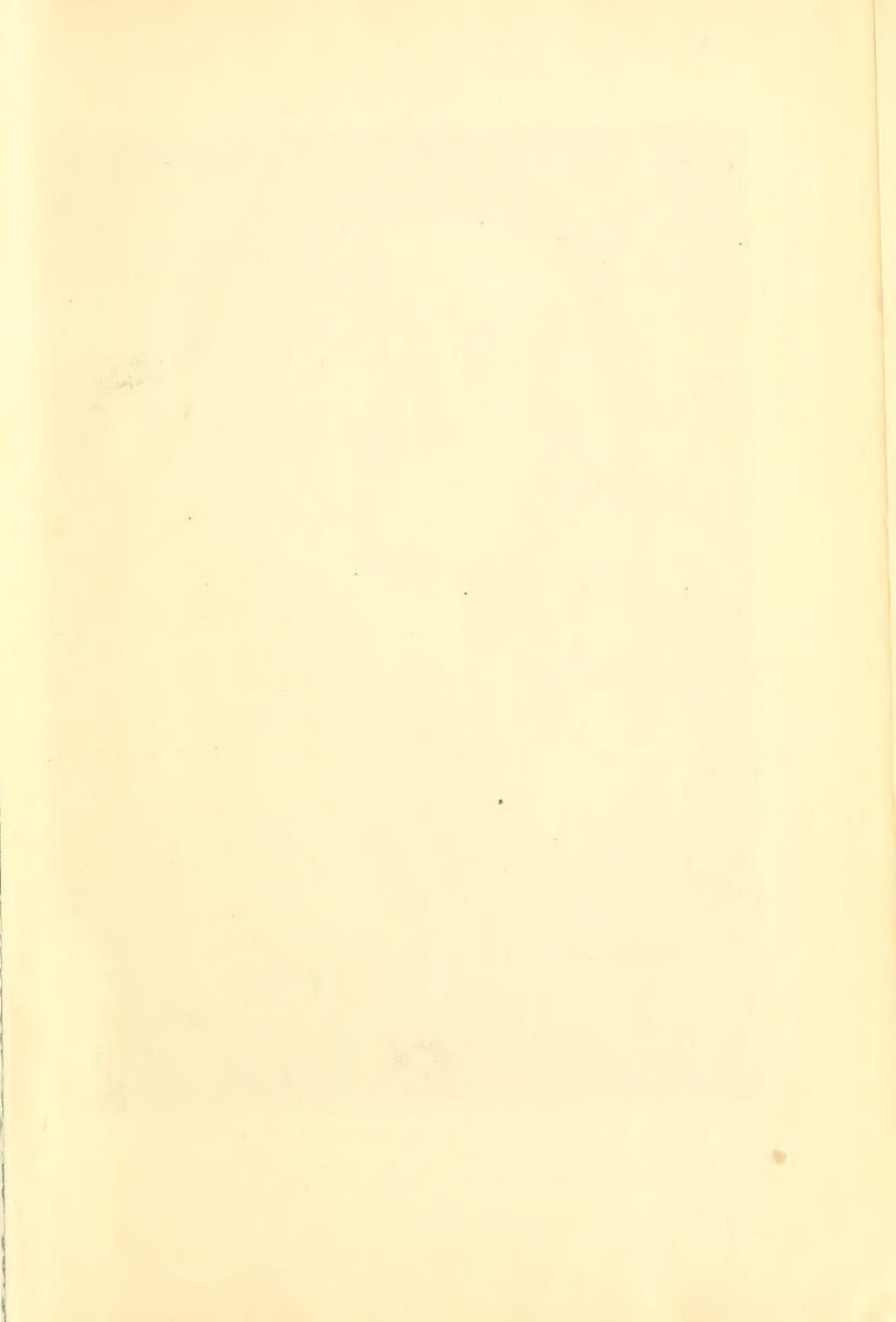


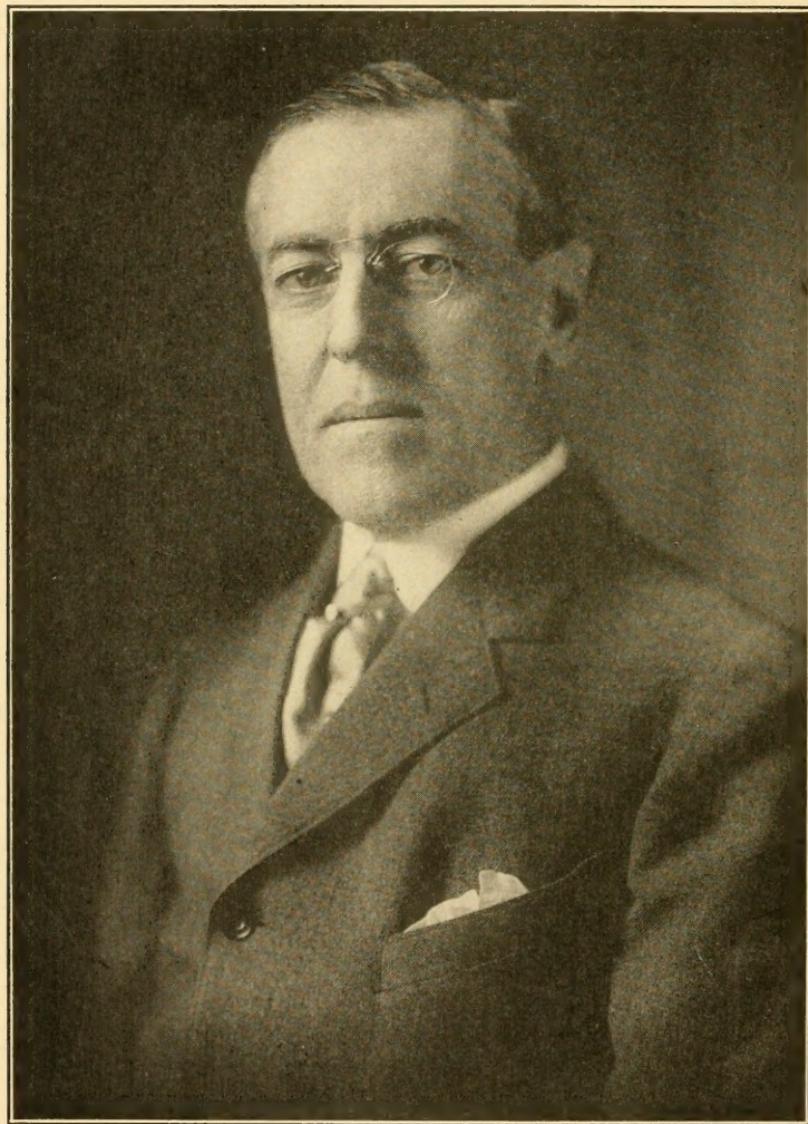
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BY

JOHN HOLLADAY LATANÉ, PH.D., LL.D.

PROFESSOR OF AMERICAN HISTORY IN THE
JOHNS HOPKINS UNIVERSITY

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PREFACE

In the preparation of this volume the attempt has been made to combine as far as possible the topical with the chronological method of presentation. History is not a mere study of facts, but of the relationship between facts, of cause and effect. In the selection of topics only those have been included which appeared to be really significant, and each topic has been developed, it is hoped, with sufficient fullness to make it intelligible. In order to bring the book into line with recent tendencies three things have been emphasized :

(1) Diplomatic history has been given special attention. Hitherto Americans have devoted little thought to foreign relations, but the world war has brought us into vital contact with world politics, and as Mr. Root says, "A democracy which undertakes to control its own foreign relations ought to know something about the subject." The different periods of our foreign policy have, therefore, been given a fuller and more continuous treatment than in any general text-book that has so far been written.

(2) Military history has been given rather more space than it has received in the books now in use. Military history should be studied for several reasons, — as a matter of general intelligence, as a connecting link between history and geography, and for a correct understanding of the problems of national defence. The chapter on the War of 1812 is based in the main on Captain Mahan's great study of that contest, and is designed to place it in its true light. In the treatment of the Civil War the attempt is made to show the effect on military operations of the blockade, of the

attitude of foreign powers, and of economic conditions, North and South.

(3) An effort has been made to show the influence of economic conditions on the politics of the country throughout its entire history. The economic motive is by no means the sole motive which determines the actions of men in mass, but it is unquestionably one of the most compelling motives. The slavery contest was economic in its origin and development. It became eventually a moral issue.

In arranging the topical references no attempt has been made at a full bibliography. Except in a few instances only the better known and more recent standard writers, whose works should be on the shelves of every well-selected library, are included.

JOHN H. LATANÉ.

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in the handwriting of Columbus shows how the great navigator's imagination was fired by these accounts and explains his conviction, when he had reached the West Indies, that they were outlying parts of the Great Khan's dominions.

The theory that the earth was a sphere was perfectly familiar to men of learning in the Middle Ages. Aristotle

**Belief
that the
earth was
a sphere** held it in the fourth century, b.c., and called attention to the fact that the earth's shadow on the moon in eclipses was always circular, and that stars visible in Egypt fell below the horizon of one traveling northward. Later Greek and Roman writers held the same view, and that the idea was familiar to the educated classes of Italy is clearly shown by the fact that Dante in the *Divine Comedy* places his *Inferno* in the center of a spherical earth. It should be remembered, however, that the educated class then was far more limited than it is to-day and that the belief of the masses was in a flat earth, a view to which the Church on Biblical grounds lent the weight of its authority.

Columbus, in common with other navigators, appears to have accepted the scientific view without serious question: "I have always read," said he, "that the world, comprising the land and the water, is spherical, as is testified by the investigations of Ptolemy and others, who have proved it by the eclipses of the moon and other observations made from east to west, as well as by the elevation of the pole from north to south." Still there were no convincing geographical data to support this theory, and ignorance of the law of gravitation, as expounded by Sir Isaac Newton two centuries later, made very real to the ignorant sailor the now absurd fear that if a ship should sail too far down the sides of the earth it would be impossible to sail back to the top.

The enthusiasm which inspired men to undertake perilous voyages of discovery and exploration during the fifteenth century was one of the many expressions of the new spirit

-1

\mathcal{X}^{sf}

which marked the period known as the Renaissance. The compass and the astrolabe, which had recently come into use, furnished the means, and the desire to find ^{Oriental} new routes of trade between Europe and the Far ^{trade} East furnished the motive to make this century an era of geographical discovery.

The eyes of Europe, as already noted, were turned not to the West, but to the East, from which quarter came the most eagerly sought and lucrative articles of commerce. Owing to the coarse diet of the day and the lack of variety, spices of all kinds were in great demand throughout Europe and formed the most important part of the Oriental trade. There was also a constant demand for gems, drugs, perfumes, and dyes, as well as for certain articles of manufacture, such as glass, porcelain, metal work, silk and cotton fabrics, rugs, and draperies. In return Europe sent to the East woolen fabrics, metals, minerals, and coral, but the balance of trade was always in favor of the East, and large quantities of gold and silver were exported to meet the demand for Oriental luxuries.

The great volume of trade from the East was conveyed by Indian merchants to the Mediterranean by two well-known routes: one by way of the Red Sea and the Nile to Cairo and Alexandria, and the other by way of the Persian Gulf to the mouth of the Euphrates and thence by caravan to Bagdad and on to the cities of Asia Minor and the Black Sea. A third route led from the central provinces of China over land to the region east of the Caspian Sea, and thence either by a southerly route to Syria and Asia Minor or by a north-easterly route to Constantinople.

Interruption of the old trade routes and the search for a sea route to the Indies

In all the principal cities of the Levant forming the western terminals of these trade routes were to be found settlements of merchants from southern Europe, mostly Italians, who gathered up the merchandise of the East and shipped it to

their home cities, from which it was distributed throughout Europe. The advance of the Ottoman Turks in the fourteenth and fifteenth centuries, culminating in the fall of Constantinople in 1453, broke up most of the European settlements in the eastern Mediterranean and placed the Oriental trade under such severe restrictions that it rapidly declined. This interruption of the old trade routes started the search for an all-sea route to the Indies and resulted in the discovery of America.

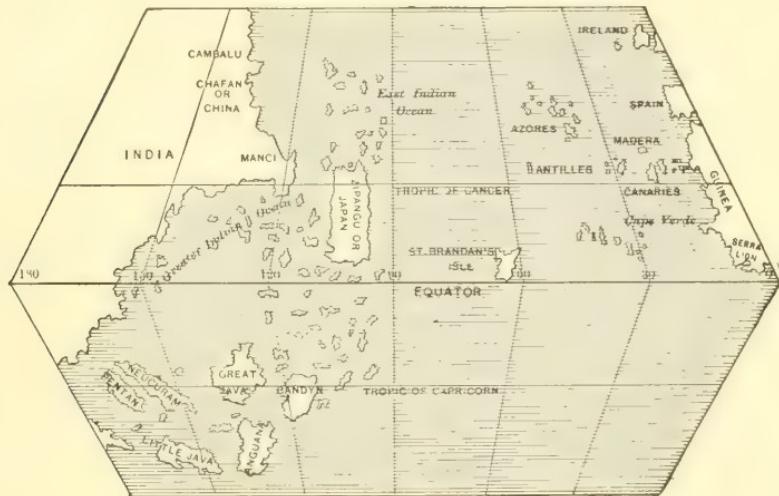
Meanwhile the pioneer work in maritime exploration was being done by Portugal. About 1420 Prince Henry, the fifth son of King John I and known to succeeding generations as the "Navigator," took up his residence on Cape St. Vincent and gathering about him a collection of charts and instruments

**The Work
of Prince
Henry the
"Nava-
tor"**
used in navigation, together with a body of experienced sailors, set to work in a thoroughly scientific way to explore the west coast of Africa and if possible to sail around its southern end. The Madeiras and Azores were rediscovered and colonized; Cape Boyador was passed in 1434, Cape Blanco in 1441, and Cape Verde in 1445.

Here the scientific character of the expeditions was diverted for some years by the profits of the slave trade, and it was not until a quarter of a century after Prince Henry's death that Bartholomew Diaz in 1486 rounded the Cape of Good Hope. As his sailors refused to go further, the honor of finding the long sought sea route to India was reserved for Vasco da Gama, who in 1498, six years after Columbus's discovery of America, sailed round the Cape to India. In 1500 the Portuguese fleet of Cabral started on its way to India and striking boldly out into the south Atlantic was carried westward by the current to the coast of Brazil. He sent a ship home to report his discovery, and resumed his voyage to India.

Of the early life of Columbus little is definitely known. This fact is all the more surprising in view of the fullness with which his later life is set forth in his own letters, many of which are still extant, and in the writings of his son Ferdinand and his friend Las Casas. Even the date of his birth is unknown, though most modern writers agree that it occurred about the year 1446. His father was a woolen weaver of Genoa. What schooling he had or when

Early life of
Columbus



TOSCANELLI'S MAP.

he gave himself to a seafaring life are questions to which no satisfactory answer can be given. It is evident from comments in his handwriting on the margins of works on geography and travel that no available information on the problems of geography and exploration escaped his attention.

Like so many other seamen of his day with a scientific bent Columbus soon drifted to Portugal, where he married into the family of one of Prince Henry's navigators. A letter from the Florentine astronomer Toscanelli to a friend at the Portuguese court first suggested to his mind, so Ferdinand and Las Casas tell us, the idea of reaching India by a westward

voyage. King Alfonso was likewise interested in this suggestion and both he and Columbus wrote to Toscanelli for further light on the subject. Columbus made a formal appeal to Alfonso's successor for ships with which to seek for Cipango in the western ocean, but King John considered him visionary and refused the necessary aid.

In 1484 Columbus went to Spain, where for seven long years he solicited aid of Ferdinand and Isabella for his undertaking. During this period he sent his brother Bartholomew to England to see if he could interest Henry VII in the project. The Spanish sovereigns were engaged in the long war with the Moors and kept Columbus waiting. Finally his patience was exhausted and he started for France, but at the instance of two friends at court he was recalled just as he was leaving the kingdom, and given authority to prepare an expedition, the queen promising to pay a large share of the expenses. In a formal contract drawn up April 17, 1492, Columbus was given the title of admiral and promised the governorship of all islands and mainlands which he should discover as well as a royalty of ten per cent on the net proceeds of all trade with the new regions.

In the early dawn of Friday, August 3, 1492, Columbus sailed from Palos with a little fleet of three vessels, carrying, according to one contemporary, ninety, and according to another, one hundred and twenty persons. Only the larger of the three vessels, the *Santa Maria*, was fully decked; the *Pinta* and the *Niña*, commanded by the Pinzon brothers, were of the caravel class. After a stop of nearly a month at the Canaries, where further preparations were made, the little fleet started boldly forth and directed its course westward over the boundless deep.

Fortunately we are able to follow the expedition day by day, for the journal kept by Columbus for the king and

Columbus
receives aid
from Queen
Isabella

The first
voyage
across the
Atlantic

queen has come down to us in an abridged form in the writings of Las Casas. The weather was unusually favorable for the voyage, but the sailors finally gave way to their fears and it was with difficulty that the admiral could prevent open mutiny. Late on the evening of October 11 a flickering light was seen ahead and grumbling and fears soon changed to hope and eager anticipation while the ships lay to and awaited the dawn.

In the morning they saw before them a small island in the Bahamas, called by the natives Guanahani and renamed San Salvador by Columbus, probably the one now known as Watling Island. Columbus was confident that he had reached the Indies and immediately dubbed the natives "Indians," an error which was destined to attach this name permanently to all the aborigines of America.

From the Bahamas Columbus sailed to Cuba, which he believed to be the far-famed Cipango, and set ashore a Jewish interpreter versed in Oriental languages to inquire for the court of the Great Khan. Not succeeding in establishing communication with that potentate, Columbus went to Hayti, which he named Hispaniola, "the Spanish Island." On Christmas day the *Santa Maria* was wrecked, and when a little later Columbus started on the homeward voyage with the two caravels, he was compelled to leave a force of forty-four volunteers in Hayti to await his return. Not one of these men survived.

Columbus arrived in the harbor of Palos March 15, 1493, after a stormy voyage, which had compelled him to put in for a few days at the mouth of the Tagus and to give the first account of his discovery to the king of Portugal. He finally entered Barcelona in triumph and was accorded the highest distinctions by Ferdinand and Isabella. The news of the discovery spread rapidly and made a great stir in the world. Ferdinand and Isabella lost no time in announcing it to

Line of
demarcation
drawn by
Pope Alex-
ander VI

the Pope and requested him to define the rights of Spain so as to avoid conflict with her great maritime rival, Portugal.

In the famous bull of May 4, 1493, Pope Alexander VI established an imaginary line of demarcation from north to south one hundred leagues west of the Azores and Cape Verde Islands. This line recognized the existing rights of Portugal along the African coast, but shut her out from interfering with Spain's discoveries in the western ocean. The following year Spain and Portugal agreed by treaty that the line should be drawn three hundred and seventy leagues west of the Cape Verde Islands, and thus it came to pass that Brazil, then undiscovered, ultimately fell to the share of Portugal.

Columbus was to make three more voyages to the new world, but he had already reached the zenith of his fortunes

Later voyages of Columbus and each new voyage left his prestige and power at a lower ebb. On the second (1493-1496) most of his energies were directed to the colonization of Hayti and the search for gold, though he discovered Porto Rico and Jamaica and explored the southern coast of Cuba.

On his third voyage out (1498) he discovered Trinidad and the coast of South America. When he arrived at Hayti he found the colonists suffering from poverty, disease, and factional fights amounting to open insurrection. His efforts to restore order resulted in charges against him on the part of the insurgents, which led Ferdinand and Isabella to supplant him in the governorship. The new governor Bobadilla on his arrival put Columbus and his brothers in irons and sent them back to Spain (October, 1500). This act was unauthorized and when Columbus reached Spain the king and queen at once ordered his release. Although not restored to the governorship, he was permitted to organize another expedition for the purpose of exploration.

Meanwhile others had followed in his track and the coast of South America had been explored by Hojeda, Pinzon and Bastidas from Cape St. Augustine to Panama, a distance of three thousand miles. Vasco da Gama had furthermore sailed around the Cape of Good Hope (1498) to India and put Spain's rival, Portugal, in direct communication with the wealth of the East. When Columbus set sail again in 1502 on his last voyage his main object was to find a passage through the mainland to the Indian Ocean. He explored the coast line from Honduras to the Isthmus and was finally wrecked on the coast of Jamaica. Rescued after a year's delay he returned to Spain and died in obscurity at Valladolid May 20, 1506.

Last days
of Columbus
and the
naming of
America

Time has on the whole been just to Columbus, for despite the calumnies of contemporaries and the criticism of later historians he holds his place high in the list of the world's great heroes. A singular injustice was done him in the name applied to the new world. Americus Vesputius, after whom it was called, was a Florentine adventurer, who made several voyages to the new world, the first probably being with Hojeda in 1499. The name America was first applied to the South American continent by a German geographer Martin Waldseemüller, who in 1507 published Vesputius's account of his voyages.

The honor of discovering the mainland of North America belongs to John Cabot, who, though a Genoese like Columbus, sailed under the English flag. He left Bristol in May, 1497, in a small vessel with eighteen men, and returned in August, reporting the discovery of the mainland, but this may have been only Newfoundland. The second Cabot voyage of 1498 has given rise to much dispute, as the accounts derived from John's son Sebastian have been thoroughly discredited, but there seems little doubt that on

The main-
land of
North
America
discovered
by John
Cabot

this second voyage Cabot followed the coast of North America as far south as the Carolinas.

Although so little is definitely known of him, Cabot was without doubt one of the boldest of navigators, and on his voyages rested England's claims of prior right to North America. The Cabots were soon followed by the Cortereal brothers, who under the Portuguese flag in the years 1500 and 1501 explored the coasts of Newfoundland and the adjacent mainland.

The Spaniards were slow in finding the mainland of North America. In 1512 Ponce de Leon, who had conquered and served as first governor of Porto Rico, discovered the east coast of Florida, rounded the peninsula, and explored the west coast as far as Apalache Bay, searching for a fountain of perpetual youth, of which the Indians had told him. In 1519 Alonzo de Pineda followed the southern coast of the United States all the way from Florida to Vera Cruz. During this voyage he discovered the mouth of a great river called by him Rio del Espiritu Santo, which has usually been identified with the Mississippi, but which was more probably Mobile Bay.

In the meantime two discoveries of world-wide importance had been made under the Spanish flag. In 1513 Balboa crossed the Isthmus and discovered the Pacific, and in 1519 Magellan, a Portuguese sailor in the service of Spain, started on his great voyage around South America and across the Pacific.

He was killed in the Philippine Islands in a fight with the natives, but his followers continued the voyage to the Spice Islands and returned to Spain by way of the Indian Ocean and the Cape of Good Hope, having completed the first circumnavigation of the globe. Magellan's achievement is regarded by some as equal to that of Columbus both in the dangers attending it and in the results, for it proved

Further explorations of the coast of North America

Discovery of the Pacific by Balboa — Voyage of Magellan

that the earth was round and that America was a separate continent.

Beyond a few fishing voyages to Newfoundland the French took no part in the exploration of the new world until after the voyage of Magellan. In 1524 the Florentine navigator Verrazano, in the service of France, undertook to find a passage through the continent in order that he might sail across the North Pacific to China. The accounts of his voyage seem to show that he entered the Hudson River and Narragansett Bay and returned by way of Newfoundland. Ten years later Jacques Cartier, a sailor of St. Malo in Brittany, started out with two ships to find a passage to the Pacific and entered the mouth of the St. Lawrence. On a second voyage in 1535 he pushed up the river to the rapids near Montreal, which he named in jest Lachine (China) Rapids in memory of the attempt to reach China by that route.

During the quarter of a century following the discovery of America Spaniards explored the islands of the West Indies and thousands of miles of mainland coast without finding any people who had advanced beyond the state of nature. The Aztec kingdom in Mexico, with all its wealth and material progress, its strange intermingling of refinement and barbarism, remained to be revealed by Hernando Cortés, the most daring, inflexible, and resourceful Spaniard of his age. With a force of less than five hundred men he landed in Mexico in 1519, entered the city six months later, and in spite of reverses that would have overwhelmed any man less resolute, completed the conquest in three years.

The marvelous success of Cortés turned the tide of exploration to the interior of the continent. In 1528 Narvaez landed with three hundred men near Tampa Bay and proceeded by land as far as Tallahassee, where, owing to the hardships of the journey

Conquest of
Mexico by
Cortés,
1519-1522

Explorations
of the in-
terior of the
continent

and the hostility of the Indians, he turned to the coast and constructed five boats in which the party proceeded with difficulty to an island off the coast of Texas. Narvaez was blown out to sea in one of the boats and was never heard from, and only fifteen of the party survived the hunger and cold of the winter. Cabeça de Vaca, the treasurer and historian of the expedition, after wandering among the Indian tribes for years, reached the Gulf of California with three companions, and finally, in 1536, arrived at the city of Mexico.

Before De Vaca returned to Spain, Hernando de Soto was appointed governor of Cuba and commissioned to conquer

De Soto explores the Gulf States and discovers the Mississippi River, 1539-1541 and settle Florida, that term then embracing the whole southern part of the United States. De Soto left Havana in 1539 with nine vessels, six hundred and twenty men, and two hundred and twenty horses. Landing at Tampa Bay, he wandered for two years through Florida, Georgia, Alabama, and Mississippi. Finally, on May 8, 1541, he discovered the Mississippi River, which he crossed below Memphis. After wandering for months through Arkansas, De Soto finally turned back to the Mississippi with the intention of following its course to the Gulf, but here illness and death overtook him. His followers, reduced in numbers by one half, finally reached Mexico.

While De Soto was exploring the southeastern part of the United States Coronado was engaged in a similar enterprise in the southwest. De Vaca's reports of riches in the interior and the legend of the Seven Cities led the viceroy of Mexico to send out a Franciscan monk, Friar Marcos, on an exploring expedition. Attended by a negro who had been with De Vaca, and a party of Christianized Indians, Friar Marcos went from the Gulf of California into western New Mexico. He saw from a distance one of the Zuñi pueblos, which ap-

Coronado explores the Southwest, 1540-1542

peared to him as large as the city of Mexico and which he concluded was the first of the Seven Cities.

On the return of Friar Marcos a force of three hundred Spaniards and eight hundred Indians was soon equipped and placed under the command of Francisco de Coronado, who set out in February, 1540, with the expectation of rivaling the exploits of Cortés. He found that the city reported by Marcos was only a pueblo, and, after wandering around as far north as Kansas, returned to Mexico after an absence of two years.

Neither Coronado nor De Soto found the wealth they were in search of, and the regions they explored had no attractions for the Spaniards at the time as places for settlement, but their discoveries were of great geographical importance. The same year that Coronado returned to Mexico Cabrillo explored the coast of California as far as Cape Mendocino. Thus within half a century of the first voyage of Columbus Spaniards had explored both coasts and a large part of the interior of North America as far north as the fortieth parallel.

Spain had no intention, as we shall see, of allowing others to settle in the regions she had explored. In 1562 Admiral Coligny, the leader of the Huguenots in France, sent out an expedition under Jean Ribaut to form a settlement for the persecuted Protestants in the new world. Ribaut explored the east coast of Florida and left a party of thirty men, but they soon abandoned the post and were picked up by an English vessel.

In 1564 Coligny sent out a second expedition under René de Laudonnière, who formed a settlement and built a fort at the mouth of the St. John's River. Some of his followers mutinied and went on a plundering expedition to the West Indies. This soon stirred the Spaniards to activity. On September 6, 1565, a force of 2600 Spaniards under Menendez landed on the coast of Florida and founded St. Augustine, the oldest city in the United States. The neighboring

The French
in Florida,
1562-1565

French settlement was completely blotted out, its inhabitants butchered in cold blood, and a Spanish fort erected on its site.

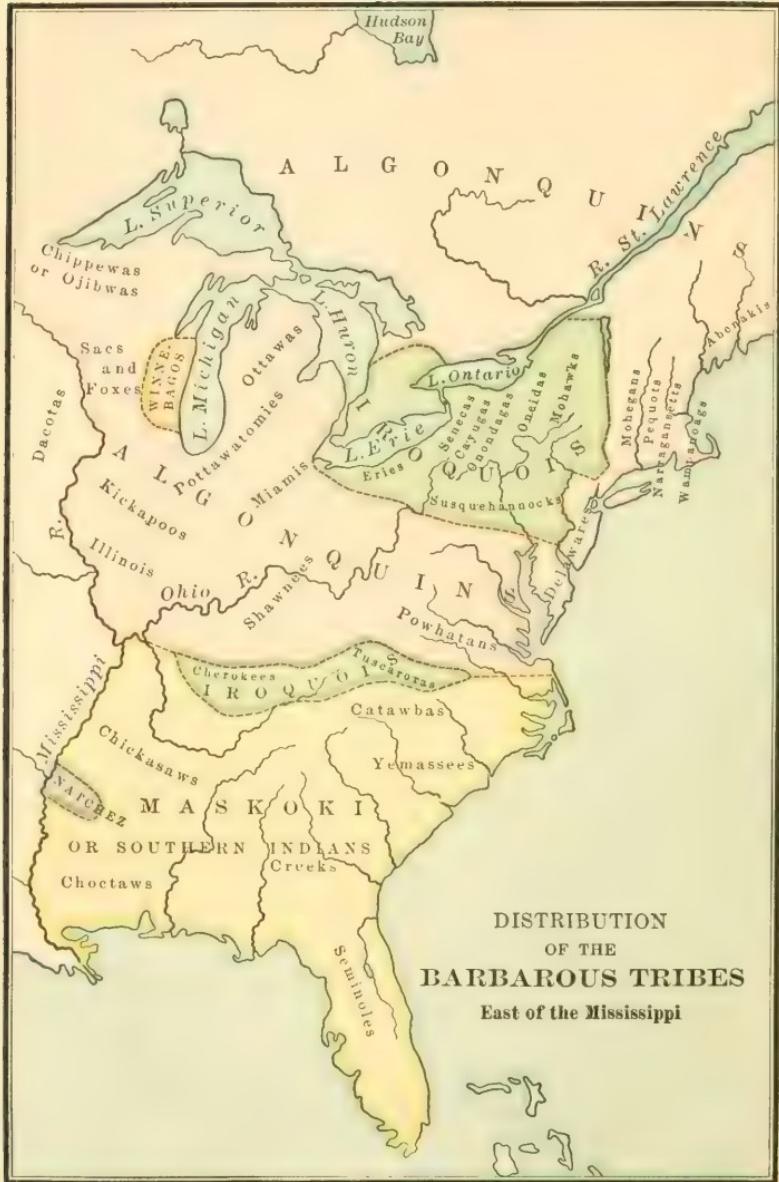
The Atlantic seaboard is well suited naturally for what it was destined historically to be, — the starting point in the **The Atlantic** colonization of the United States. The broad **seaboard** bays and deep rivers which intersect the coastal plain afforded direct water communication between the early settlements and Europe, while the Appalachian chain of mountains forming its western boundary was a sufficient barrier to prevent the early settlers from wandering too far inland until the population was fairly compact. It was not until the period of the Revolution that the settlers pushed over the mountains into Tennessee and Kentucky.

The interior of the continent is most easily reached by way of the St. Lawrence River and the Great Lakes, and

**The interior
of the
continent
reached by
the Great
Lakes** thus it happened that the French explored the Mississippi Valley before the English crossed the Alleghanies. Their main route was not by way of Lakes Ontario and Erie, but to the headwaters of the Ottawa River, then by portage to Lake Nipissing, then again by water down the French River to Georgian Bay and so to Lakes Huron, Michigan, and Superior.

The upper Mississippi was first reached through Wisconsin by way of the Fox River, but another route was soon developed by portage from the headwaters of the Chicago River to the Illinois, along the line of the present Chicago Drainage Canal. In the eighteenth century the various portages leading from the waters of Lake Erie to the Ohio River came into use, but the earlier development of these routes was prevented by the hostility of the Iroquois.

The position of the Iroquois in central New York likewise blocked the natural route leading from Canada to the Hudson River. As the line of the Hudson is the principal



break in the long stretch of mountains from Maine to Alabama, it was destined to be of great importance from a military as well as from a commercial point of view. *The line of the Hudson* Its strategic importance was shown both in the French and Indian wars and in the Revolution. From the present site of Albany there was a choice of routes leading to Canada. One led from the headwaters of the Hudson by way of lakes George and Champlain to the St. Lawrence, and the other up the Mohawk River and across by portage to Lake Ontario.

Further south, population and commerce were both checked for a long time at the heads of navigation, and further progress was delayed until roads were cut across the mountains. Toward the beginning of the Revolution the routes connecting the headwaters of the great rivers east of the mountains with the tributaries of the Ohio became of great importance to the white man, who in cutting the first rude roads through the forest followed closely the well-known Indian trails. The principal routes were those through southern Pennsylvania leading from the Susquehanna to the Alleghany; the well-known line of Braddock's march from the upper waters of the Potomac to the Monongahela; the trail from the headwaters of the James to the Kanawha, followed by Andrew Lewis in his march to Point Pleasant; and the "Wilderness Road," or "Boone's Trail," which led through the Cumberland Gap from eastern Tennessee into Kentucky.

The Indian population of North America has been greatly overestimated. There were probably not over four or five hundred thousand in the present territory of the United States when the white man first appeared. The numbers have not greatly decreased, so that it is a mistake to suppose that the Red Man has been exterminated. He has been pushed back by the advancing wave of civilization and confined largely

Trails leading to the Ohio, Kentucky, and Tennessee

The North American Indian: number and distribution

to reservations in the West. He is now being educated, admitted to citizenship, and gradually assimilated.

The distribution of the Indian population in colonial times was, of course, quite different from what it is to-day. First in importance were the Algonquins, who extended from Canada to Virginia and from the Atlantic to the upper Mississippi. In the heart of the Algonquin territory, extending through the Mohawk Valley in New York, were the "five nations" of the Iroquois, the most cruel and formidable warriors on the continent.

In the Southern States the most important tribes were embraced in the famous Creek Confederacy, the principal tribes being the Chickasaw, Choctaw, Creek, and Seminole. West of the Mississippi the principal tribes were the Sioux, who extended from the Mississippi to the Rockies and from Arkansas to Canada.

As a rule the Indians lived in villages that were permanent in location. Their life was not nomadic, though at certain seasons of the year they ranged over wide areas in quest of food. Outside of New Mexico and Arizona, where the walls of the pueblos were built of rough stone or sun-dried brick, they made little progress in house building. As a rule they lived in wigwams made of brush, bark, or skins, though the "long houses" of the Iroquois were more elaborate and the Cherokee constructed houses of logs.

In all parts of the country they depended largely for subsistence on hunting and fishing. This was supplemented by berries, roots, and wild fruits, especially in the North, and by the cultivation of corn and tobacco. Agriculture was more advanced in the South, where, in addition to corn and tobacco, beans and squash were raised. With the exception of a few articles of copper and gold, the Indians were unacquainted with the metals. Their weapons and implements were made of wood, stone, or bone. Skill in skin

dressing was almost universal; the art of weaving was widely known; and pottery reached a high state of development in the South and Southwest. Canoes of bark and skin were used in some parts of the country, and in others the more clumsy dugout. The main weapons both for fighting and hunting were the bow and arrow, the tomahawk, the knife, and less commonly the javelin. Light shields were made of rawhide. Traps for catching fish and animals were constructed with no little ingenuity.

As a hunter the Indian has never had a superior, and as a warrior he was stealthy, aggressive, formidable, and cruel. When forced to a hand-to-hand encounter he would fight to a finish, but as a rule he depended upon a sudden surprise rather than an open attack, and was incapable of carrying on sustained military operations against the white man.

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CHAPTER II

THE FOUNDATIONS OF ENGLISH COLONIZATION, 1584-1660

WHEN Cabot discovered the coast of North America in 1497 English commerce and seamanship were still in their infancy, and three quarters of a century elapsed before the nation took the first steps toward colonization. Under Elizabeth England aspired to commercial rivalry with Spain, whose industries had been paralyzed by the wealth of gold that the mines of Mexico and Peru had poured into her lap. Protestantism became the ruling principle of Elizabeth's foreign policy and direct aid was extended to the struggling Netherlands in their revolt against Spain. Thus rivalry developed into open hostility and the religious motive lent its aid in producing that great group of seamen who laid the foundations of the British sea power and prepared the way for the colonization of America.

English sea-men of the Elizabethan age

In 1562 Sir John Hawkins carried a cargo of slaves from Guinea to the West Indies, where he found a ready sale for them despite the law of Spain which limited the trade to her own subjects. On his third voyage in 1567 he was caught by a Spanish fleet in the harbor of Vera Cruz on the coast of Mexico and escaped with only two of his ships. One of these was commanded by his young kinsman Francis Drake, who became the greatest seaman of his age, plundered many a richly laden Spanish galleon, and, first of his nation, circumnavigated the globe. Such was the terror of Drake's name that for a hundred years he was known

Hawkins and Drake

in Spanish annals as "the Dragon." To intercept Spanish treasure-ships was a quick road to wealth and there soon sprang up a whole navy of privateers manned by men who were willing to serve God and their sovereign in this way. Still patriotism was the dominant motive with the great maritime adventurers of Elizabeth's reign, as is clearly seen when we recall the deeds of Thomas Cavendish, Martin Frobisher, Richard Grenville, Lord Charles Howard, Sir Humphrey Gilbert, and Sir Walter Raleigh.

Gilbert and Raleigh conceived the plan of contesting Spain's advance in the New World by planting an English colony across the seas. In 1583, after an unsuccessful attempt to establish a colony in Newfoundland, the gentle and heroic Sir Humphrey perished on the homeward voyage. The work was taken up by his half-brother Raleigh, a born cour-

The attempt
to form a
settlement
on Roanoke
Island,

1585-1591



SIR HUMPHREY GILBERT.

tier, who by the grace and dignity of his bearing had won the heart of the queen. Raleigh sent out an exploring expedition to the coast of North Carolina in 1584, naming the new realm Virginia in honor of the queen, and the following year nearly two hundred colonists were landed on Roanoke Island under Captain Ralph Lane as governor. The next spring, when Drake came by on his way home from a cruise in the West Indies, he found them so helpless and disheartened by the experiences of the winter that he took them back to England. A few days later Grenville arrived with supplies sent by Raleigh, but finding none of the settlers

he left fifteen men on the island to retain possession and returned to England.

In May, 1587, Raleigh sent out another body of one hundred and fifty colonists, including twenty-five women and children, under the painter John White as governor, with instructions to proceed to Chesapeake Bay; but when they arrived at Roanoke, although none of the men left the year before could be found, they decided for some reason to remain there. Here the daughter of the governor gave birth to a child, Virginia Dare, the first English subject born in America.

In November Governor White returned to England for supplies. He found his countrymen in a state of turmoil and excitement, bending every effort to defend their religion and their firesides against the formidable armada which Spain was preparing for their conquest. The following summer the armada was defeated in the channel, but after the crisis was passed Raleigh found himself broken in fortune. Two expeditions fitted out by him were thwarted in their efforts to bear relief to the little settlement and hence it was not until 1591 that Governor White returned to Roanoke Island. To his dismay he found the fort deserted, and he was compelled to return to England with no clew as to the nature of the tragedy that had overtaken his daughter and granddaughter. The fate of the colony was never known.

Gilbert had sacrificed his life, and Raleigh his fortune, in the patriotic effort to found a new dominion across the seas, but the task was too great for individual enterprise. In order to provide the means for White's last voyage Raleigh had been compelled to assign part of his rights to others. With the accession of James I. he was thrown into the Tower, but the project which he had so nobly fathered was not allowed to die.

In April, 1606, a charter was granted by King James incorporating the Virginia Company in two divisions,—one

composed of "certain knights, gentlemen, merchants and other adventurers" of London, and the other of "sundry knights, gentlemen, merchants, and other adventurers" in and near Plymouth. The charter provided for two colonies in "that part of America, commonly called Virginia," lying between the thirty-fourth and forty-fifth degrees of north latitude.

The London Company was authorized to plant a colony at some point between the thirty-fourth and forty-first degrees, and the Plymouth Company at some point between the thirty-eighth and forty-fifth degrees, with the provision that neither one was to settle within a hundred miles of the other. The overlapping of the two zones was evidently designed to stimulate rivalry. The grant to each colony was to extend along the coast fifty miles north and fifty miles south of the point selected for settlement and one hundred miles inland. The entire region including the two grants was placed by the charter under the general management and direction of a council of thirteen members appointed by the king, to be known as the Council of Virginia, and the government of each colony was placed in the hands of a local council of thirteen appointed by the council in England and subject to its control.

The Plymouth Company undertook to form a settlement on the coast of Maine, and one hundred and twenty settlers landed at the mouth of the Kennebec River August 18, 1607, under the leadership of George Popham and Raleigh Gilbert, but those who survived the hardships of the winter returned to England in the spring. The Plymouth Company was unwilling to sink any more money in the enterprise, but in 1620 it was reorganized by Sir Ferdinando Gorges, Sir Francis Popham, and Raleigh Gilbert as the Council for New England, and under this name we shall come across it again in connection with the grants to the settlers of Plymouth and Massachusetts Bay.

Meanwhile the London Company had founded the first permanent English settlement in America. On December 20, 1606, one hundred colonists, all men, **The colony of Virginia** barked from London in three ships, the *Susan Constant*, commanded by Captain Christopher Newport, the *Good-speed*, commanded by Captain Bartholomew

Gosnold, and the *Discovery*, commanded by Captain John Ratcliffe. Following the usual route by the Canary Islands and the West Indies they were four months on the voyage and on April 26, 1607, sighted the Virginia capes, which they named Charles and Henry after the sons of King James. After exploring the waters of Hampton Roads they proceeded about thirty miles up the James and landed

May 14 (May 24, new

style) on a low island or peninsula, where they erected a fort and began a town, named like the river in honor of the king. Jamestown was an unfortunate location, malarial, destitute of fresh-water springs, and covered with trees and tall grass, exposing the little colony to sudden attack from the Indians.

After exploring the James as far as the falls, Newport departed for England, leaving one hundred and four settlers surrounded by hostile Indians and provided with very scant supplies. So great was the suffering and consequent mortality that by September only forty-six survived. Furthermore, the little colony was split into factions. Of the six members



POCAHONTAS.

of the council left by Newport one had died, another had been shot for attempted desertion, and now the president, Edward Maria Wingfield, was cast into prison by the remaining three and John Ratcliffe elected in his stead.

One of these three was Captain John Smith, who soon became the leading spirit of the colony. Smith was one of those men who seek and find romance and ^{Captain} John Smith adventure wherever they go. Although only thirty years old he had encountered dangers and performed exploits that few men experience in a lifetime. He was now put in charge of the stores and managed in some way to allay the hostility of the Indians and to procure corn.

In December, while on an exploring expedition up the Chickahominy, two of his companions were killed by the Indians, and he was captured and taken before Powhatan, the war chief of an extensive confederacy. He was condemned to death, and his head placed on a stone ready for execution. From this predicament he was unexpectedly rescued by Pocahontas, the twelve-year-old daughter of the chief, and shortly after allowed to return to Jamestown.

In January, 1608, Newport returned with supplies and seventy new settlers. The following summer was but a repetition of the preceding one. Of ninety-five settlers only fifty survived. In September, Smith, who had spent the summer exploring Chesapeake



CAPT. JOHN SMITH.

His char-
acter and
services

Bay, was made president of the council; Newport arrived with a "second supply" of men and provisions, and conditions were temporarily improved. During the next year Smith ruled with a high hand and kept the colony in order, but made himself unpopular and was finally deposed by the

remaining members of the council, George Percy succeeding him as president.

In October, 1609, while suffering from a gunpowder wound, Smith took passage for England. In 1614 he explored the coasts of New England and made an excellent map of that region. His map of Chesapeake Bay and its tributaries was not supplanted for one hundred and fifty

years. The credibility of his writings has been bitterly assailed, especially the story of the three Turks whom he slew in single combat earlier in his career, and the Pocahontas incident, but he has not failed of able champions to uphold his veracity. He was the most conspicuous figure in the early history of Virginia, and without his native wit and resourcefulness the colony would not have survived.

In 1609 the London Company secured a separate charter greatly enlarging its grant and authorizing it to place a governor over the colony. The bounds of the colony were extended along the coast two hundred miles north and two hundred miles south of Point Comfort and "up into the land,

New charter
(1609), Lord
Delaware
appointed
governor



LORD DELAWARE.

throughout from sea to sea, West and Northwest," a clause which later gave rise to much contention. Thomas West, Lord Delaware, a peer of the realm, was selected as governor, but as he was not ready to go at once Sir Thomas Gates was sent out as deputy.

The winter of 1609-1610 is known in Virginia history as the "Starving Time." When Gates, who had been forced by shipwreck to spend the winter in the Bermudas, finally reached Jamestown May 23, 1610, he promptly decided to abandon the settlement. He had embarked the entire company and was proceeding down the river when he met a messenger from Lord Delaware announcing his arrival at Point Comfort. All returned to Jamestown and began anew the painful process of founding a colony.

In less than a year Lord Delaware fell sick and returned to England. He continued to hold the governorship until his death in 1618, but during this period he was represented in Virginia by a succession of deputies: Dale, Yeardley, and Argall. So far the settlers had failed utterly to adapt themselves to the conditions of life in their new home and had depended on supplies of food from England. During the five years of Sir Thomas Dale's rule, 1611-1616, the colonists were under martial law and mechanics and gentlemen alike were forced to labor under pain of the severest penalties. New settlements were formed, the colonists protected from the Indians, and, most important of all, the common store was abolished and every man made to depend on his own labor.

The last traces of communism and martial law were done away with when Sir George Yeardley arrived in Virginia as governor and captain-general April 19, 1619. He announced that lands were to be distributed among the settlers in tracts of one hundred acres and that the people were to share in the making of laws. On July 30, 1619, the first legislative

Rule of
Sir Thomas
Dale, 1611-
1616

The first
representa-
tive as-
sembly in
America,
1619

assembly in America was convened at Jamestown. It consisted of the governor, council, and two burgesses from each of the ten plantations or settlements.

The London Company was fast passing out of the hands of merchants like Sir Thomas Smith and coming under the control of liberal statesmen like Sir Edwin Sandys, who more than any one else is entitled to the honor of being the father of representative government in America. In 1619 Sandys was elected to succeed Sir Thomas Smith as treasurer or president of the Company and would have continued in that position had it not been for the hostility of the king, who regarded him as the head of the opposition in Parliament. When the next annual election came around the king sent word to the Company to "choose the devil if you will, but not Sir Edwin Sandys," and the Earl of Southampton, of like liberal views, was chosen in his stead.

Since 1616 the tobacco culture had made rapid strides in Virginia and the economic future of the colony was assured. Between 1619 and 1622 over 3500 new settlers arrived. The Indian massacre of 1622, which cost the lives of 347 men, women, and children, was a severe blow, and gave the king an excuse for charging the Company with mismanagement.

The London Company deprived of its charter, 1624

James's foreign policy was entirely dominated by his desire to bring about a marriage between his son Charles and the Spanish Infanta and he fell completely under the sway of Count Gondomar, the Spanish minister at London, who was continually intriguing with the enemies of the Company, and who told the king that the meetings of the Company were but a "seminary for a seditious parliament."

Finally a writ of *quo warranto* was issued against the Company and its charter formally annulled June 16, 1624. Virginia thus became a royal province under the direct control of the crown, and while the change proved in the

long run beneficial, Americans should ever hold in grateful remembrance the great association which founded the first English colony and planted in it the germs of civil liberty. The next few years of Virginia history passed without striking incident save the "thrusting out" of Sir John Harvey, an arbitrary governor of no great ability, who was arrested by members of the Assembly and sent back to England.

In January, 1642, the most famous of the early governors, Sir William Berkeley, arrived in the colony. He was a

typical cavalier, a
staunch upholder of
king and church, who
appointed
thanked God that
there were no free
schools or printing presses in
Virginia and hoped there would
not be for a hundred years. The
Virginians of those days were
opposed to the high church views
of Laud and many moderate
Puritans came to the colony.
The Puritan settlement in Nan-
semund county made an appeal
to New England for ministers and

Sir William
Berkeley
1642



SIR WILLIAM BERKELEY, Gov-
ernor of Virginia.

in 1642 three arrived in Virginia. The following year Berkeley got the Assembly to pass a severe act against nonconformists and the New England ministers had to leave. The second Indian massacre which followed shortly afterwards in 1644, in which over three hundred whites perished, was referred to by John Winthrop, the governor of Massachusetts, as a special act of Providence.

As the fortunes of the Puritan party rose in England Governor Berkeley became more intolerant of Puritanism in Virginia, and in 1649, shortly after Charles I was beheaded, more than a thousand Puritans left the colony for Maryland.

At the invitation of Governor Stone they settled on the Severn at a place called by them Providence, but known to later generations as Annapolis.

The founder of Maryland, George Calvert, first Lord Baltimore, seems to have been actuated by two motives;

The found-ing of Maryland, 1632-1634 first, the creation of a great family domain, and second, the es-

tablishment of a place of refuge for Catholics. In 1627 he took his family and a group of settlers to Newfoundland, but two years later he went south in search of a warmer climate, and arrived at Jamestown in October, 1629. He was not a welcome guest, though the council appears to have treated him with respect, if we may judge by the following entry on the record: "Thomas

Tindall to be pilloried two hours for giving my Lord Balti-

more the lie and threatening to knock him down."

Lord Baltimore, who was a favorite of James I, had been a member of the Virginia Company, but of the faction

The Mary-land grant, 1632 which opposed Sir Edwin Sandys and the Earl of Southampton. In addition to this he was a

Catholic and when it became known that he contemplated a grant for himself south of the James River, Secretary Claiborne was sent to England to oppose his application. Claiborne was only partially successful, for in 1632 Lord Baltimore received a grant on the north side of the Potomac, extending as far as the fortieth parallel, and stretching from the meridian of the source of the Potomac on the west to the Atlantic Ocean on the east. The new colony was named *Terra Mariæ*, or Maryland, in honor of



LADY BERKELEY, wife of Sir
William Berkeley.

Queen Henrietta Maria, though *Terra Mariæ* had, no doubt, a special significance to Catholics.

George Calvert died before the charter passed the seal, but it was confirmed to his son Cecilius Calvert, second Lord Baltimore. By the terms of the charter the government of Maryland was modeled after that of the bishopric of Durham, a county palatinate on the Scottish border, whose bishop as ruler of the county had been vested in early times with almost absolute powers for the protection of the border against the forays of the Scotch. The position of Lord Baltimore as proprietor of Maryland was that of a great feudal landholder of the Middle Ages. To the king as overlord he had to deliver two Indian arrows at Windsor Castle each year in Easter week, and a fifth part of all the gold and silver mined in the colony. The principal limitation upon his power was that he could not make laws without the advice and consent of the freemen.

The first colonists were sent over in two ships, the *Ark* and the *Dove*, and began a settlement at St. Mary's in lower Maryland on a branch of the Potomac March 27, 1634. Among them were both Protestants and Catholics, including two

The palati-
nate form
of govern-
ment



CECILIUS CALVERT, Second Baron Baltimore.

The settle-
ment at St.
Mary's,
1634, and
the dispute
with Clai-
borne over
Kent Island

Jesuit priests, and they were under the command of Leonard Calvert, brother of the proprietor, as governor.

St. Mary's was not the first settlement in Maryland. William Claiborne had settled a hundred men in 1631 on Kent Island, and this settlement was represented by a delegate in the Virginia House of Burgesses. Maryland had been carved out of the Virginia grant of 1609, and the Virginians resented Lord Baltimore's intrusion, so that when Leonard Calvert called upon Claiborne to recognize Lord Baltimore's authority over Kent Island, the council of Virginia advised him to disregard the demand. After several armed conflicts between the Kent Islanders and the settlers of St. Mary's, in which blood was shed on both sides, the Commissioners of Plantations finally decided the dispute in favor of Lord Baltimore.

It is only in a restricted sense that Maryland can be spoken of as a Catholic colony. The proprietor was of that **Religious toleration** faith and most of the prominent and influential families continued to be Catholic, but they were always in the minority. As early as 1641 three fourths of the settlers were Protestant. From the outset Lord Baltimore pursued a broad policy of religious toleration, and herein rests his chief claim to distinction. The provisions of the charter throw little light on the religious question. Its references to the religious status of the colony were indefinite and ambiguous, probably intentionally so, but the king undoubtedly understood that the laws against Catholics in England were not to be enforced in Maryland. The exclusion of Protestants on the other hand would certainly have involved the proprietor in serious difficulty, but it is certain that he never contemplated such a course.

The policy pursued in Maryland under Lord Baltimore's government was far in advance of the practices in England and in the other colonies, and to him full credit is due. In 1649, when he felt the control of the province slipping from

his grasp, he tried to perpetuate this policy by having it enacted in a statute. This celebrated act provided that no person “professing to believe in Jesus Christ shall from henceforth be any ways troubled, molested or discountenanced, for or in respect of his or her religion, nor in the free exercise thereof.” This was a long stride towards religious liberty, although Jews and infidels were not included.

In the settlement of Virginia rivalry with Spain, commercial gain, and the spirit of novelty and adventure were the dominant motives. The religious impulse was ^{The Puritan} present, but it played a subordinate part. Mary-^{migration to} land was founded in part as a place of refuge for ^{America} Catholics, but the majority of the settlers seem to have come there for other reasons. New England, on the other hand, was born of the spiritual unrest of the seventeenth century, and religious motives dominated all others. The conditions that led to the great Puritan migration to America were the outgrowth of the Protestant Reformation. The separation of the English church from Rome took place in the reign of Henry VIII and the reform in doctrine began under Edward VI. Then followed the Catholic reaction under Mary, when hundreds of English Protestants sought refuge in Switzerland and in Germany.

When Elizabeth came to the throne she undertook to reestablish the national church on a basis broad enough to include all her subjects, and Parliament passed the acts of Supremacy and Uniformity. But this policy did not please everybody. On the one hand there remained a substantial body of English Catholics who clung steadfastly to their allegiance to the Pope, and on the other hand there were the returned refugees, imbued with the teachings of Calvin, who protested against the pomp and ritual of the Anglican church and set to work to purify it of all survivals of Romanism. This was the beginning of the Puritan party, which was soon further differentiated from other parties

by austerity in morals and strict Sabbath observance. Although merely a party within the church many of the Puritans refused to observe the prescribed forms of worship and became known as Nonconformists. In course of time some of the more extreme withdrew and formed separate congregations, from which they were known as "Separatists," later Independents or Congregationalists.

Before the close of Elizabeth's reign many of these people had been forced by persecution to flee from England and seek refuge in Holland. When James I came to the throne the Puritans hoped that his Presbyterian rearing would incline him to their side, but such hopes were short-lived. He declared in answer to their petitions: "I shall make them conform themselves, or I will harry them out of the land, or else do worse," — a decision fraught with mighty consequences for the new world.

In 1607 a little congregation of Separatists at Scrooby in eastern England resolved to go to Amsterdam, where a

English Separatists seek refuge in Holland, 1607 London congregation had found refuge several years before. Within a year or two numbers of them had succeeded in making the move. But schism quickly breeds schism, and the two con-

gregations soon found that they were not of the same way of thinking. As the result of doctrinal differences the Scrooby congregation moved to Leyden, where they were soon joined by exiles from other parts of England.

In a few years this little group of Englishmen grew dis-couraged and hearing favorable reports from Virginia, turned their eyes toward America. Permission was obtained from the London Company under a land patent to settle in its territory. Sir Edwin Sandys, who befriended them, tried to persuade the king to grant them a charter recognizing their religious rights, but the most he could obtain was the promise that "he would connive at them and not molest them, provided they carried themselves peaceably." London

merchants furnished £7000 for the enterprise under a joint stock arrangement, by which shares were to be paid for in money at £10 each or by personal service.

Carver, Bradford, and Brewster were put in charge of the Pilgrims. John Robinson with the larger part of the Leyden congregation remained behind intending to follow later. The emigrants left Delft Haven in the ^{The coming of the Pilgrims, 1620} *Speedwell* in July, 1620, and proceeded to Southampton, where the *Mayflower*, a larger vessel, was waiting to join them with a party of emigrants from England. When they put to sea again it was soon found that the *Speedwell* was too leaky to make the voyage, so they had to put back, and it was not until September 6 that the *Mayflower* finally started on her memorable voyage alone, with one hundred and two passengers. They intended to settle at some point south of the Hudson, but the weather was too bad for accurate observations and when they sighted land they were off Cape Cod. They started southward but were driven back by roaring breakers and sought shelter in the harbor now known as Provincetown. The site of Plymouth across the bay was finally selected as a suitable place for a settlement and here the Pilgrims landed December 20, 1620.

Before disembarking they signed a compact aboard the *Mayflower* constituting themselves a "civill body politick," and agreeing to be bound by such laws and ^{Years of hardship} ordinances as should from time to time be adopted for the general good of the colony. John Carver was chosen governor. When his death occurred a few months later, the office was conferred on William Bradford, who held it almost continuously until his death in 1657. The first few years were years of intense suffering. More than half of those who came over in the *Mayflower* perished during the first winter. In the autumn of 1621 a ship arrived with thirty-five new settlers and a land patent from

the Council for New England allowing one hundred acres for every settler.

Henceforth the little colony had to shift for itself, for it received little aid from its London partners. A few years

A self-governing community later it bought out their interests and became in fact a self-governing community. The governor and assistants were elected by a primary assembly of all freemen, called the "General Court," which also passed laws. In 1638 the representative system was adopted and henceforth laws were enacted by a body composed of the governor and assistants, and delegates from the towns, — four from Plymouth and two from each of the other towns.

The founding of Massachusetts (1628–1630) and its remarkable growth completely overshadowed Plymouth, and the details of its subsequent history are not of much importance. We have gone into its early history at length because it was the second step in the founding of the United States and paved the way for the rapid development of New England. Furthermore Plymouth exercised a profound influence on the moral and religious life of Massachusetts, notably in determining the Congregational form of church government.

The first step in the founding of the Massachusetts Bay colony was taken in March, 1628, when John Endicott and

The settlement of Massachusetts Bay five associates secured from the Council for New England a patent conveying to them a strip of territory lying between the Charles and the Merrimac and extending westward to the Pacific Ocean. In June a party of colonists was sent out with John Endicott as governor. They arrived September 6 at Naumkeag, where Roger Conant and a few followers had settled two years before. The "Old Planters" were at first not disposed to recognize the claims of the newcomers, but they soon came to terms, and to commemorate this peaceful

adjustment, changed the name of the place to Salem. There were several other settlements along the Massachusetts coast which fell within the new grant, over which Endicott soon asserted his authority.

On March 4, 1629, the friends of the new enterprise received from the king a charter which constituted them a body corporate under the title of "The Governor and Company of Massachusetts Bay in New England." The management of the Company was placed in the hands of a governor, a deputy, and eighteen assistants, who were to be elected annually by the freemen, or members of the corporation. The Company was given full power to make laws and regulations for the government of the colony, provided they were not contrary to the laws of England.

The year 1629 was the beginning of a dark period in the history of England,—the personal government of Charles I. For the next eleven years Parliament held no meetings and the king ruled arbitrarily through the Court of Star Chamber and the High Commission. With Eliot and other leaders of the opposition languishing in the Tower and the administration of affairs falling into the hands of Strafford and Laud, leaders of the high church party, the outlook for Puritanism was dark indeed.

Dark out-
look for
Puritans in
England

Under these circumstances the members of the Massachusetts Company conceived the bold idea of migrating in a body to New England and taking their charter with them. As the charter did not specify any particular place for holding the meetings of the Company, there appeared to be no legal obstacle in the way of the transfer. A new set of officers was, therefore, elected so as to place the control of the Company in the hands of those who were willing to migrate, and John Winthrop, a wealthy gentleman of Suffolk, was chosen governor.

Rapid growth of Massachusetts, 1630-1642

In the spring of 1630 a fleet of eleven ships, bearing Winthrop and a large company of emigrants, sailed for Massachusetts, and arrived at Salem, June 12. Many of these settlers, unlike those of the preceding year, were persons of education and high position. They found the Salem colony in a sad plight; over eighty had died during the previous winter, and the survivors were weak and suffering for lack of food.



JOHN WINTHROP.

Winthrop as governor of the Company superseded Endicott, and soon moved with most of the new settlers to Charlestown, in the neighborhood of which there were already several settlements. The winter of 1630-1631 was unusually severe and the settlers suffered many hardships.

During the next year few new settlers arrived, but from 1633 to 1640 the numbers increased rap-

idly. Between 1628 and 1640 more than 20,000 Englishmen came to New England, the great majority to Massachusetts. As this was largely the result of the high church policies of Laud, it has been suggested that he is entitled to be called the founder of New England. With the outbreak of the Civil War in England the great Puritan migration came to an end. In fact some of those who had come to America returned to England to take up arms against the king. The growth of Massachusetts Bay was more rapid than that of any other colony. In 1645 its population was over 16,000, more than that of all the other English colonies combined.

Between 1636 and 1638 several scattered settlements were made in Rhode Island and Connecticut by religious refugees from Massachusetts, illustrating what Edward ^{Roger} Eggleston calls "the centrifugal force of Puritan-^{Williams}ism." Roger Williams and Anne Hutchinson, the founders of Rhode Island, were expelled from Massachusetts by the formal action of the authorities, while the founders of Connecticut left of their own accord because they were dissatisfied with religious and political conditions in the older colony. Roger Williams, a master of arts of Pembroke College, Cambridge, came to Massachusetts in 1631 and was invited to the church at Salem. Here he made a favorable impression by his ability and eloquence, but within two months he began questioning the validity of land titles not derived from the Indians and the right of the magistrates to impose penalties for Sabbath breaking. Governor Winthrop complained to the Salem church and Williams soon removed to Plymouth, but two years later returned to Salem, and soon called down upon himself the wrath of the Massachusetts authorities. Finally in October, 1635, he was banished from the colony by the General Court.

After a winter of great privation spent among the Pokanoket Indians he was joined in the spring by a few friends from Salem and in June, 1636, founded Providence, the first settlement in Rhode Island. ^{The found-ing of Rhode Island} Two years later Mrs. Anne Hutchinson, who was banished from Massachusetts on account of her peculiar religious views, took refuge at Providence, and then crossing over with her followers to the island of Aquidneck formed the settlement at Portsmouth.

In 1639 William Coddington headed a secession from Portsmouth and founded Newport, and in 1643 Samuel Gorton, the most persistent heretic of them all, after being expelled in turn from Boston, Plymouth, Portsmouth, and Providence, founded Shawomet, the later Warwick. In 1644 Roger

The Colonies

Williams went to England and secured a charter uniting all these settlements and granting them the privilege of adopting a suitable form of self-government.

A few years before this Roger Williams had become a Baptist and Rhode Island soon became a Baptist stronghold. There was a strong tendency on the part of some to follow the example of the Anabaptists of Germany and the Low Countries in holding that freedom of conscience involved freedom from civil restraint, but Roger Williams took a firm stand against this doctrine from the first, and his greatest service to mankind was in demonstrating the possibility of founding a commonwealth in which liberty of conscience could be permitted without loosening the bonds of civil society.

The first European settlement within the present state of Connecticut was made by the Dutch, who established a

**The begin-
nings of
Connecticut,
1633-1636** trading post and built a fort on the Connecticut River where Hartford now stands, in the early summer of 1633. In October of the same year

some traders from Plymouth established a rival post ten miles higher up the river at Windsor. Both the Dutch and Plymouth settlers were destined to be dispossessed by emigrants from Massachusetts, who began forming settlements in the summer of 1635, but the real movement began the next year.

Rev. Thomas Hooker, pastor of the Newtown (Cambridge) church, was the leader of this exodus. Hooker was a graduate of Emmanuel College, Cambridge, and a man of liberal views which had been cultivated through a residence in Holland. He came to Massachusetts in 1633 and the following year his congregation at Newtown petitioned the General Court to allow them to move to some new point within the bounds of Massachusetts. The petition was rejected at this time, but granted reluctantly the following year. A variety of motives appear to have influenced the

founders of Connecticut in deserting Massachusetts. Hooker objected to the close union of church and state; others were doubtless attracted by the fertile valley of the Connecticut.

The emigration was not of individuals, but of organized congregations. By the fall of 1636 about 800 people were settled in the three towns of Hartford, Wethersfield, and Windsor. They were squatters merely, without land patent or charter from the king of England. Although beyond the bounds of Massachusetts, they were governed for a time by magistrates who acted under a commission from the General Court of that colony, but in January, 1639, the freemen of the three towns met at Hartford and adopted the "Fundamental Orders," a document since famous as "the first written constitution framed by a community, through its own representatives, as a basis for government." It did not make church membership a condition of citizenship, as did Massachusetts, and it contained no recognition of any superior authority in England. From this time forth these river towns were a self-governing community under the name of Connecticut.

The
"Fundamental
Orders,"
1639

In October, 1635, John Winthrop, Jr., arrived from England with a commission as governor of the "river Connecticut in New England" and formed a settlement at Saybrook, the mouth of the river which he called Saybrook in honor of his patrons, Lord Brooke and Lord Say, who several years before had received an indefinite grant of land south of Massachusetts extending from the Narragansett River to the South Sea. Hardly had he completed the fortifications of the place in the spring of 1636 when a Dutch vessel arrived from New Amsterdam with the intention of occupying the mouth of the river and blocking the trade outlet of the English settlements higher up. The Dutch arrived too late, and thus Winthrop saved the control of

Saybrook,
1635

the river for the English. His authority over the upper settlements was never more than nominal, though his relations with them were friendly, as was shown during the Pequot War, in the course of which the Indian tribe of that name, which had been harrying the Connecticut settlements, was exterminated and its territory appropriated.

In 1644 Saybrook was sold to Connecticut by one of the surviving associates of Lords Brooke and Say and the colony soon expanded in other directions also. The same year Southampton on Long Island was annexed and five years later Easthampton. By 1653 Connecticut had twelve towns.

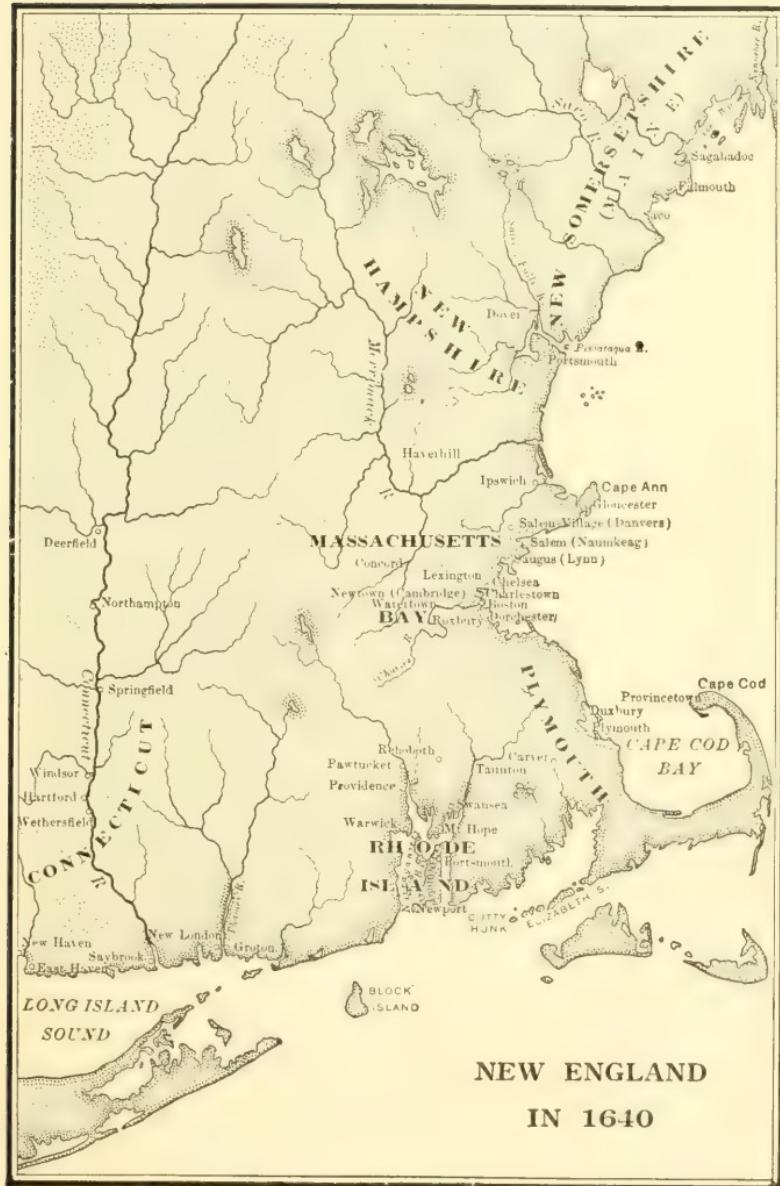
The settlement of New Haven, made in 1638, was for many years a separate and distinct colony. The founders were John Davenport, a noted London preacher, and Theophilus Eaton, a wealthy merchant, who was one of his parishioners. They arrived at Boston in 1637, in the midst of the Hutchinsonian controversy, and in spite of every inducement that was offered them to remain in Massachusetts proceeded to Long Island Sound and founded New Haven. They had no charter of any kind, and their only right to the soil was based on purchases from the Indians.

In 1639 the free planters met in a barn, and after Davenport had preached from the text, "Wisdom hath builded her house; she hath hewn out her seven pillars," they proceeded to adopt a set of resolutions binding them to be governed by the Scriptures as a sufficient guide in all the affairs of life and providing for the selection of seven men as "pillars" of the new church and state. Only church members were to be admitted as free burgesses. On this basis the "seven pillars" proceeded to organize a Bible commonwealth of the extremest type.

A general court was organized to meet once a year for the election of a governor and assistants, in whose hands was

The expansion
of
Connecticut

The New
Haven
colony,
1638-1662



placed the entire administration of affairs. They were to be guided by the laws of Moses. Trial by jury was not recognized because not found in the Mosaic code. Other towns were soon established in the neighborhood: Guilford, Milford, and Stamford, all modeled more or less after New Haven. In 1643 dread of attack from the Indians and the Dutch caused these towns to unite with New Haven. Later Southold on Long Island, Bradford, and Greenwich joined the confederacy. Thus constituted, the colony of New Haven continued its separate existence until 1662.

In 1622 Sir Ferdinando Gorges and Captain John Mason received from the Council for New England a grant of the country between the Merrimac and the Kennebec rivers. Both were Episcopalians and friends of the king, and their interests in the new enterprise were mainly commercial. In 1623 they established settlements or trading posts at the mouth of the Piscataqua (later Portsmouth) and at Cochecho (later Dover) within the present limits of New Hampshire, and within a short time fishing stations were established at Saco Bay, Casco Bay, and other points in Maine. In 1629 Mason obtained from the Council for New England a separate grant of the territory between the Merrimac and the Piscataqua and named it New Hampshire, and ten years later Gorges obtained a royal charter confirming his claims to the territory between the Piscataqua and the Kennebec (Maine).

Massachusetts claimed jurisdiction over the whole region of these grants under the interpretation which she put upon her charter, namely, that her northern boundary was a line drawn due east and west from a point three miles north of the most northerly point of the Merrimac, and she encouraged her citizens to settle in the disputed territory. After the death of Mason in 1635 his

The Mosaic
code en-
forced

New Hamp-
shire and
Maine
granted to
Mason and
Gorges,
1622

The Massa-
chusetts
claim

heirs declined to give further pecuniary aid to the New Hampshire settlements and they were left to shift for themselves. Settlers from Massachusetts soon came in and in 1638 two new towns were founded, Exeter by followers of Anne Hutchinson, and Hampton by men from Massachusetts and England.

A period of petty controversy and strife ensued which Massachusetts used to her advantage, for in 1641 the New Hampshire settlements were, with the consent of the majority of the inhabitants, annexed to her. In 1643 Dover, Portsmouth, Exeter, and Hampton were organized with Salsbury and Haverhill as the county of Norfolk. The Mason heirs later revived their claims, and as a result of the disputes that ensued New Hampshire was erected into a royal province in 1679.

Massachusetts was equally persistent and more successful in asserting her claim to Maine. Other grants conflicting with that of Gorges had been made, and after his death in 1647 everything was in a state of confusion. Massachusetts again stepped in and under Cromwell's rule extended her sway over all the towns of Maine. After the Restoration Charles II took Maine away from Massachusetts and recognized the Gorges claim, but later the younger Ferdinando Gorges sold out his interests to Massachusetts, which again took possession, although the king refused to sanction the transfer. Massachusetts, however, ignored his objections and held on to Maine. Her title was finally confirmed in the charter granted by William and Mary in 1691.

In May, 1643, at the suggestion of the Massachusetts General Court, commissioners from Massachusetts, Connecticut, Plymouth, and New Haven met at Boston and formed the New England Confederation. Its purpose was protection against Indian attacks or the encroachments of the Dutch during the Civil War then raging in England.

The New
England
Confedera-
tion, 1643-
1684

The business of the Confederation was to be carried on by eight commissioners, two from each colony, and the vote of six of the eight was to prevail. In 1653 Massachusetts refused to comply with the vote of the commissioners to raise soldiers for the Dutch war. That colony also refused to permit Connecticut to tax the Massachusetts people at Springfield for the defense of the mouth of the river, although the six commissioners of the other colonies decided that they should be taxed.

The domination of Massachusetts caused the decline of the Confederation, and on the absorption of New Haven by Connecticut in 1662 it ceased to be of much importance, though meetings were held occasionally until 1684. The Confederation, however, had served a good purpose in restraining both the Indians and the Dutch. The articles contained a provision for the rendition of fugitive servants, very similar to the later fugitive slave laws.

In 1651 Parliament passed a navigation act the object of which was to exclude foreign vessels from trade with the colonies and to limit English commerce as far as possible to English and colonial ships. This regulation bore heavily upon the Dutch in whose hands was a large part of the carrying trade, and led to war between England and Holland (1652-1654). The Dutch were defeated and made peace just in time to save New Netherland from conquest.

During the Civil War the New England colonies refrained from openly espousing the cause of Parliament and paid little attention to its authority, though many colonists returned to England and bore arms against the king. The Virginians paid no attention to the orders of Parliament and when Charles I was executed the assembly passed an act recognizing his son Charles II as king. Charles II was also proclaimed in Maryland though without Lord Baltimore's

The period
of Puritan
supremacy,
1645-1660

Virginia
submits to
parliamen-
tary com-
missioners,
1651

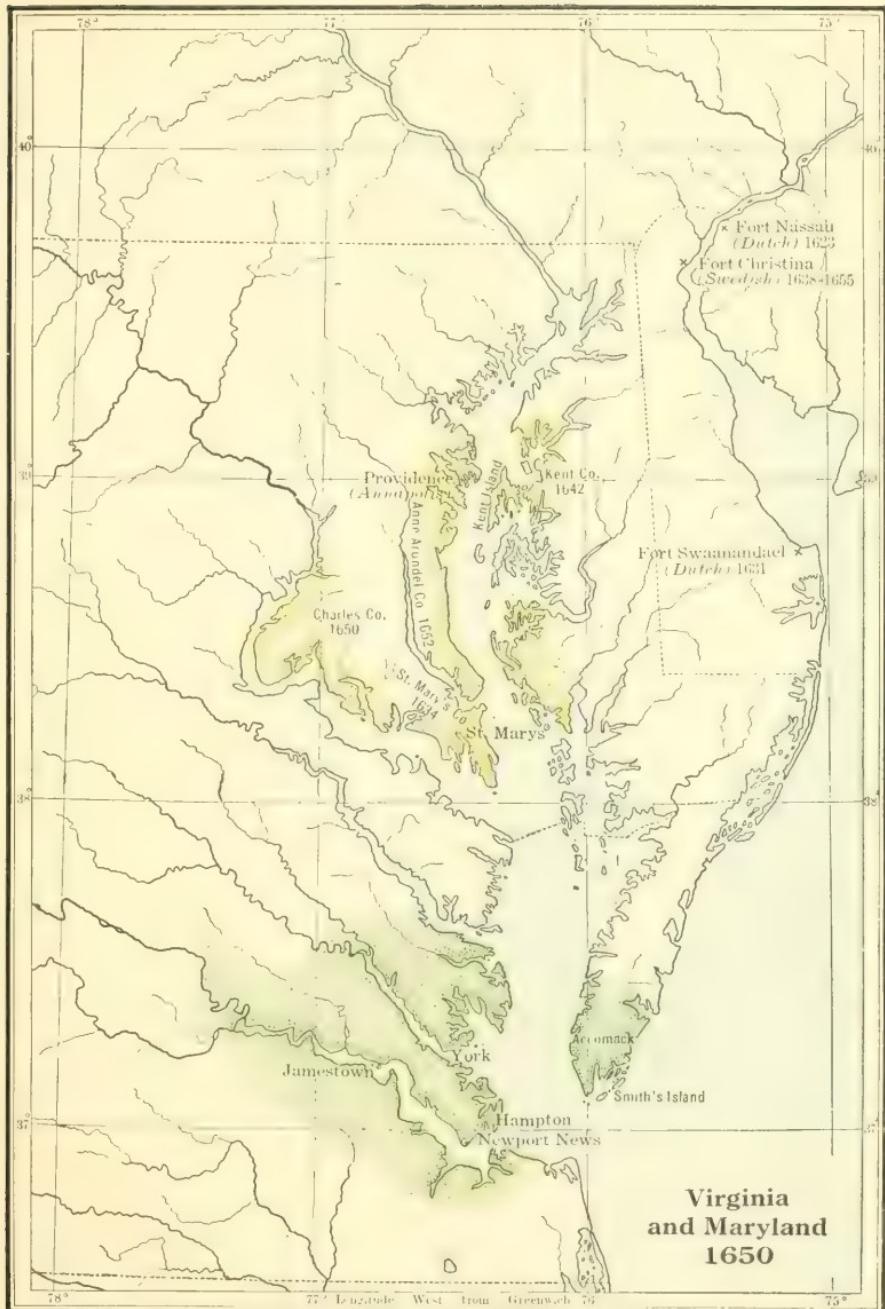
knowledge. In 1650 Parliament passed an ordinance declaring that Virginia and the Bermudas "are and ought to be subordinate to and dependent on England," and prohibiting foreign vessels from trading with them.

Finally in 1651 the English authorities appointed commissioners and dispatched an armed force to reduce the colonies in Chesapeake Bay. Governor Berkeley made active preparations for resistance but when the expedition arrived he quietly surrendered his authority and retired to his plantation where he remained until 1660, when he again resumed the governorship. The Assembly meanwhile organized a provisional government by electing Richard Bennett governor and restored Claiborne to his old post of secretary from which he had been removed by Berkeley.

The commissioners then proceeded to Maryland and deposed Governor Stone. The Puritans who had been **Affairs in Maryland** expelled from Virginia by Governor Berkeley made poor return for the kindness they had received in Maryland. An assembly dominated by them and from which the Catholics were excluded repealed the toleration act of 1649. In 1655 Stone made an effort to regain control of affairs, but he and his Catholic supporters were defeated by the Puritans under William Fuller in a pitched battle on the Severn. Lord Baltimore, however, had acknowledged Cromwell's rule and two years later an agreement was reached and his authority again recognized.

During the period 1640–1660 the population of Virginia and Maryland increased at a far greater rate than at any

Growth of population in the colonies, 1640–1660 other period in their history. In Virginia the increase was from 7600 to 33,000, and in Maryland from 1500 to 8000. The immigration to Virginia at this time was to a large extent cavalier in character; that is, made up of people of royalist sympathies. By 1660 Virginia had outstripped Massachusetts in population,—33,000 to 25,000,—



Virginia
and Maryland
1650



and Virginia continued to hold the first place in population until after the Revolution. The population of the colonies at this time was mainly English, with a few Scotch, Irish, and Huguenot settlers. In the Dutch province of New Netherland there were at this time (1660) about 6000 souls, about half of them English, the rest mainly Dutch and Swedes. A few negro slaves were to be found in all the colonies.

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CHAPTER III

A CENTURY OF GROWTH AND EXPANSION, 1660-1760

THE restoration of Charles II in 1660 marks a new era in English colonization. The king and the brilliant group ^{The colonial policy of the Restoration} of advisers who surrounded him had been impoverished by exile and turned to colonial enterprise as a means of building up British commerce and restoring their individual fortunes. The men most conspicuous in developing the new colonial system were the

Earl of Clarendon, the Duke of Albemarle, Anthony Ashley Cooper (later Earl of Shaftesbury), Lord Arlington, Baron Berkeley, brother of the governor of Virginia, and Sir George Carteret. They passed new navigation acts, developed a better system of colonial administration, and tried to bring the colonies under closer control, conquered and annexed New Netherland, granted new charters to Rhode Island and



EDWARD HYDE, Earl of Clarendon.

Connecticut, founded the proprietary colonies of New Jersey, Pennsylvania, Delaware and the Carolinas, and organized the Hudson Bay Company.

The navigation act of 1660, like Cromwell's act of 1651, on which it was based, was aimed in part at the Dutch carrying trade. It also introduced a new principle. It not only reënacted in a stricter form the shipping clause, limiting colonial commerce to English and colonial vessels, but provided further that certain "enumerated articles," sugar, tobacco, cotton, and dyewoods, could be shipped only to England. The object of this restriction was to provide raw materials for English manufacturers.

A later act of 1663 went a step further and provided that with a few exceptions no goods from foreign countries could be shipped to the colonies except through English ports. Thus the colonies were to provide the raw material for the mother country and buy all their manufactured goods from her. The colonies were, however, given a monopoly of tobacco. Its importation from foreign countries and its production in England, Ireland, and the Channel Islands were both prohibited.

In 1660 the English colonies in New England were separated from those in Maryland and Virginia by the Dutch settlements along the Hudson and the Delaware, or the North and South rivers, as they were then called. The Dutch claims were based on the voyage of Henry Hudson, an English seaman in the service of the Dutch East India Company who, in 1609, sailed with a crew of eighteen or twenty men, partly English and partly Dutch, in his good ship the *Half Moon* in search of a sea route to India. He took a northern course, but encountering ice and storm turned south, and finally entered the river which now bears his name. He explored this river as far as Albany before abandoning the search for a passage through the continent. Later he sailed under the English flag in search of a northwest passage and discovered and explored Hudson Bay. Here he was set adrift in an

The navigation acts of
1660 and
1663

The voyage
of Henry
Hudson,
1609

open boat by a mutinous crew and was never heard of more.

The Dutch East India Company paid little attention to the discovery of Hudson, but individual merchants be-

Trading posts on Manhattan and at Albany became interested in the fur trade, and the island of Manhattan and the site of Albany soon became centers of a lively traffic with the Indians. Trading posts were established but there appears to have been no intention at first of colonizing the region. In 1614 Adrian Block sailed through East River, which he called "Hellegat" after a river in Holland, and explored parts of the New England coast, ascending the Connecticut River as far as the site of Hartford. His name has clung to Block Island. About the same time Cornelius May sailed south and explored the Delaware, giving his name to one of the capes at the mouth of the bay.

In 1621, the Dutch West India Company was chartered by the states-general with the double purpose of trade and

Settlement under the Dutch West India Company colonization, and in 1623 the first settlers arrived at Manhattan. They were distributed at various points: one party was sent to the Delaware and built Fort Nassau opposite the site of Philadelphia; another party proceeded up the Hudson to Fort Orange within the present limits of Albany; while others formed settlements on Long Island and on Staten Island.

In 1626 Peter Minuit arrived as the first governor or director of New Netherland. He secured from the Indians a

The "Patroon" system title to the Island of Manhattan in exchange for goods of the value of about twenty-four dollars and began the erection of Fort Amsterdam. The directors of the West India Company were at this time more interested in plundering Spanish galleons than in planting colonies, so they left the latter work largely to individual enterprise. In order, however, to encourage the settlement of New Netherland they issued in 1629 the famous charter

of "Freedoms and Exemptions," creating a privileged class of land-holders known as patroons. Any member of the Company who should carry over within four years at his own expense fifty settlers over fifteen years of age, was promised a tract of land with a frontage of sixteen miles on one side of the Hudson, or any other navigable river, or eight miles on both sides, extending as far back into the country as the situation would permit. The patroon was to enjoy over such an estate most of the rights and privileges of a feudal lord of a manor.

These terms were favorable to the patroons but offered little inducement to the free citizens of the Netherlands who were not accustomed to feudal restrictions. Under William Kieft, who became governor in 1638, trouble with the Indians on the lower Hudson finally led to a disastrous war, 1641-1645. His successor, the famous Peter Stuyvesant, 1647-1664, was the ablest of the Dutch governors, and under him New Netherland grew and expanded.

In 1638 a little colony sent out by the Swedish West India Company appeared in the Delaware, and built Fort Christina near the site of Wilmington. Other Swedes followed and settlements were made on both sides of the river. In 1655 Governor Stuyvesant, being at peace with the English and his Indian neighbors, led an expedition against Fort Christina and annexed the Swedish settlements.

The
Swedish
settlements
on the
Delaware

As long as the Dutch held the central position on the Atlantic seaboard between the New England and the Chesapeake Bay colonies it was almost impossible to carry out the navigation acts. Virginia tobacco found its way to Europe in Dutch ships and through the same agency European goods were carried to the American colonies. It was of vital importance, therefore, to the new colonial policy to annex the Dutch settlements. Stuyvesant found it impossible to

The English
conquest of
New
Netherland,
1664

check the advance of New Englanders along the sound either on the mainland or on Long Island, and conflicts were continually arising. Although the English were the aggressors, they were continually complaining to the home government of injuries inflicted by the Dutch. England and Holland were also fierce commercial rivals in the West Indies and on the coast of Africa.

King Charles's brother, James, Duke of York, and his friends Berkeley and Carteret were interested in various commercial enterprises, and they suggested to the king a plan for the conquest of New Netherland. The king not only sanctioned the scheme, but issued a royal charter granting the Dutch territory in America to his brother as lord proprietor. As soon as he received his charter the Duke of York commissioned Richard Nicolls as lieutenant governor, and the latter with a fleet of four vessels appeared before New Amsterdam in August, 1664, and demanded the surrender of the city. On receipt of the letter Stuyvesant flew into a great rage and tore it to pieces without reading it to the members of his council, but the latter gathered up the fragments and forced him to surrender without striking a blow. The province and city were renamed New York after the duke and most of the settlements were given English names. In 1685 the Duke of York became King of England and his proprietary rights were merged with the crown. Thus New York became a royal province.

The Duke of York gave away part of his province before it was conquered. On June 30, 1664, while the expedition of ¹⁶⁶⁴⁻¹⁷⁰² New Jersey, Nicolls was on its way to America, he granted the region between the Hudson and the Delaware to his friends Lord Berkeley and Sir George Carteret. As the latter had been at one time governor of the island of Jersey the province was named in his honor New Jersey.

There were at this time a few Dutch settlements at Hoboken and other points on the Hudson, and the Dutch and

Swedish settlements on the Delaware. After the English conquest many New Englanders came into New Jersey, settling at Elizabeth, Newark, and other points in the northern part of the province. These settlements became known as East Jersey, while those along the Delaware became known as West Jersey.

In 1674, two London Quakers, Edward Byllynge and John Fenwick, bought out Berkeley's interest for £1000. It was agreed that they should have West Jersey, while Carteret retained East Jersey. The next year Byllynge failed and his interests were conveyed to William Penn and two other Quakers for the benefit of his creditors. Penn and his associates also acquired Fenwick's share. In July, 1676, the proprietors of West Jersey signed with Carteret a deed establishing a new dividing line between East and West Jersey, running from Little Egg Harbor to the Delaware Water Gap.

In 1682, Penn and eleven associates acquired from the heirs of Carteret the province of East Jersey. Thus both provinces fell under Quaker control. Several Scotchmen were associated in this transaction with Penn and this fact resulted in Scotch immigration to the colony. In 1688 the Jerseys were temporarily annexed to New York and placed under the rule of Andros. The rights of the proprietors had become confused as the result of so many transfers and con-



WILLIAM PENN, at the age of 22.

flicting claims, and Penn and others had become interested in a new colony, so in 1702 they surrendered all their rights to the Crown. East and West Jersey were consolidated in the royal province of New Jersey.

When George Fox, the founder of the Society of Friends, visited America in 1672, he found Quaker communities in William Penn Rhode Island, New Jersey, Maryland, Virginia, and North Carolina. He had some idea of founding a Quaker colony, but did not carry it out. This work was reserved for William Penn, one of the most famous characters in American history. His father, Sir William Penn, was an admiral in the British navy and an intimate friend of Charles II and the Duke of York. While a student at Oxford the young William Penn became interested in the teachings of the Quakers, and when he openly joined the Society of Friends, his father drove him from his home. He soon became the most prominent Quaker in England, and his courageous defense of his position finally excited the admiration of his father, who paid his fines and became fully reconciled. On his deathbed the admiral commended his son to the special care of the Duke of York.

Penn's connection with New Jersey has already been described. In this enterprise he was hampered by conflicting claims and diverse interests and could not carry out his own ideas. He decided therefore to found a new colony where Quakers could enjoy complete religious freedom and where he could put into operation some of his political theories. He also wished to restore his fortunes, and he had a claim of £16,000 against the king on account of loans advanced by his father which he saw little chance of collecting. In consideration of this debt he received from the king a large grant of land west of the Delaware and north of Maryland.

The charter was issued March 14, 1681, and created a proprietary province somewhat like Maryland, named by

The Pennsylvania charter, 1681

the king Pennsylvania in honor of the founder's father. The intention seems clearly to have been to convey to Penn a tract of land extending from the fortieth to the forty-third parallels of latitude and from the Delaware on the east five degrees of longitude westward. But ignorance as to the location of the fortieth parallel threw the question of the southern boundary into confusion.

What Penn wanted most was an outlet on Delaware Bay. The settlements west of the Delaware had never been specifically granted to the Duke of York, but since the English conquest he had exercised jurisdiction over them. When the Pennsylvania charter was drawn the duke had it so worded as to reserve New Castle and the land to the north and west within a radius of twelve miles. The following year, however, he ceded New Castle and the territory along Delaware Bay as far as Cape Henlopen to Penn. This territory had all been included within the Maryland grant so that there now arose a dispute between Penn and Lord Baltimore as to both the Pennsylvania and Delaware boundaries which lasted for a century. The present boundaries were finally agreed on in 1760, and the line was run and marked in 1767 by two distinguished English engineers, Mason and Dixon.

In October, 1682, Penn arrived in America with about one hundred colonists. There were already a number of Dutch, Swedish, and English settlers in the province. He landed at New Castle, which was formally founded, 1682 transferred to him by the duke's agent, and then proceeded up the river to Upland, an old Swedish settlement, which he renamed Chester. Selecting a point for a "great town" near the confluence of the Schuylkill, he carefully laid off the streets at right angles and named it Philadelphia, the city of "brotherly love."

As a result of Penn's wise and statesmanlike policy his colony prospered from the first and grew very rapidly. Quakers from England and Wales and members of other

persecuted sects came over in large numbers. Penn had visited Germany in company with Fox in 1677, and his colony soon attracted the attention of the Mennonites and Pietists, whose doctrines were not unlike those of the Quakers. A party of Germans arrived at Philadelphia in 1683 under the leadership of Francis Daniel Pastorius and founded Germantown. This was the beginning of the German immigration to Pennsylvania, which, however, did not attain large proportions until the next century. Philadelphia had a more rapid growth than any other city in colonial times. Four years after it was first laid off it had a population of 8000 and was the third city in America.

The Pennsylvania charter contained three novel features: the laws, which were to be made with the consent of the Imperial control freemen, were to be submitted to the Privy Council for approval; obedience to the navigation and other acts of Parliament was expressly stipulated; and the proprietor was required to appoint an agent to reside in England.

In 1682 Penn issued a document known as a Frame of Government, establishing a provincial council of seventy-two persons chosen by the freemen and a General Assembly of two hundred representatives. Accompanying the Frame was a code of "Laws agreed upon in England" to be enacted by the Assembly with such alterations or amendments as might be deemed necessary. These laws gave the fullest guarantees of personal liberty then known in America and established religious freedom for all who believed in "one Almighty and Eternal God," but restricted to believers in Jesus Christ the right to hold office and to vote.

Penn returned to England in 1701, where he found his property much involved, and he had to spend some time in prison. His mind became unbalanced and continued so until his death in 1718. Pennsylvania and Delaware were

held as proprietary provinces by his children and grandchildren until the Revolution.

About the middle of the century there grew up a little settlement of Virginians, in part political and religious refugees, on the northern shores of Albemarle Sound along the Chowan River. This settlement was destined to be the nucleus of the colony of North Carolina. A little later some New England traders attempted a settlement at the mouth of Cape Fear River, but soon abandoned it.

In 1663 the region between the thirty-first and thirty-sixth parallels of latitude was granted to eight proprietors: the Earl of Clarendon, the Duke of Albemarle, Lord Craven, Lord John Berkeley, Lord Ashley, Sir George Carteret, Sir William Berkeley, and Sir John Colleton. This vast grant was erected into a palatinate very much like that of Maryland, both modeled after the bishopric of Durham. The main difference between Maryland and Carolina was that the former was granted to one proprietor and the latter to a group of eight. This change was unfortunate, for some of the original proprietors sold out their interests to other parties who introduced discord and confusion into the management of the province.

In 1665 the proprietors received from the king a second charter, extending their northern boundary to thirty-six thirty so as to include the Albemarle settlement.

In the autumn of 1665 Sir John Yeamans brought a party of colonists from Barbadoes to the Cape Fear River and started what was known as the Clarendon settlement, but after two years the little colony dispersed. Some of the proprietors appear to have lost interest in the enterprise, but not so with Lord Ashley. In 1669 his secretary, John Locke, afterwards famous as a philosopher, drew up

First settle-
ment in the
Carolinas

The
Carolina
charter,
1663

"The
Fundamental
Constitu-
tions," 1669

at his suggestion "The Fundamental Constitutions," elaborating an organic law, semifeudal in character, which was about as ill adapted to conditions in the American wilderness as anything that the mind of man could conceive.

From the first the proprietors seem to have relied on getting settlers from the Bermudas and Barbadoes, where dissatisfaction prevailed, so in 1670 arrangements were made for Yeaman's to lead another expedition. After the wreckage of two of his vessels he abandoned the enterprise, handing over the command to William Sayle, a Bermudian planter, who succeeded in founding a settlement on the south side of the Ashley River. Later some of the settlers moved across to the tongue of land between the Ashley and Cooper rivers and here in 1680 the town of Charleston was founded. The same year a party of Huguenots arrived and a little later some Scotch. The growth of Charleston was very rapid. In 1685 the population was estimated at 2500, and Charleston was soon the most important town south of Philadelphia.

There was a marked difference from the first between the northern and southern settlements and very little communication between them, so that they gradually became known as North and South Carolina. The northern colony was composed of scattered agricultural communities. It was the first frontier in American history and developed that type of backwoods life which later characterized our western frontier. The southern colony was more compact, most of the settlements being on the coast in the neighborhood of Charleston. Charleston was always in direct and frequent communication with the West Indies, the Bahamas, the Bermudas, and England, and its citizens were thus subject to the refining influences of the outside world.

Contrast
between
North and
South
Carolina

The restoration of Charles II had been anticipated in Virginia by the Assembly, which on the death of Matthews in 1660 recalled Sir William Berkeley from retirement. As soon as Berkeley was officially informed of Charles's restoration he proclaimed him in Virginia and ordered writs to run in his name. Berkeley then went to England to consult his sovereign's pleasure. On his return to Virginia in 1662 he summoned an Assembly which, like the "Cavalier Parliament" in England, was overwhelmingly royalist, and continued to sit without re-election for the next fourteen years. The suffrage, which had been extended during the Commonwealth period to all freemen, was restricted by act of the Assembly in 1670 to freeholders.

Virginia
under
Charles II

Virginia thus became a practical oligarchy. Berkeley selected his own councilors from the wealthier planters, prorogued the Assembly from session to session without re-election and appointed the sheriffs and county justices, the latter composing the county court and having a general control of county affairs. Even the vestries, which ruled the parishes, were no longer chosen by the people, but had become close corporations and filled the vacancies that occurred in their numbers. The most serious hardship for the common people, however, was the steady decline in the price of tobacco, due in large part to the navigation acts which gave the English merchant a monopoly of the trade.

The general dissatisfaction came to a head in 1676, when the Indians began attacking the frontier settlements. Berkeley was appealed to, but failed to take effective measures for the defense of the colony and numbers of settlers were killed, among them the overseer of Nathaniel Bacon's plantation. Young Bacon, who had not been long in the colony, but who was a man of force and determination, then raised a body of three hundred volunteers and marched against the Indians. Berkeley denounced him and his followers as rebels and started out

Bacon's
rebellion

with a body of troops to disperse them. The majority of Bacon's followers turned back, but about sixty continued to follow him, and storming a palisade slew one hundred and fifty Indians.

In the meantime the people of the colony were thoroughly aroused and began arming. So serious was the disaffection

**Death of
Bacon and
execution of
leaders** that Berkeley had to hasten back to Jamestown, where he agreed to dissolve the old Assembly and order a new election. To this Assembly Bacon was elected. When it convened the Governor pardoned him, restored him to his place in the council, and promised him a commission as commander-in-chief of the militia.

But no sooner had Bacon started on his second expedition than Berkeley again denounced him and raised a force of six hundred men to take him. Most of the wealthier planters stood by Berkeley, while probably two thirds of the people, — the lower classes and some of the planters, — supported Bacon, giving the struggle the character of a popular revolution. Bacon now abandoned the Indian campaign, and marched against Jamestown which was taken and burned. Berkeley fled to Accomac, and Bacon was preparing to follow him when he was stricken with fever and died.

Most of Bacon's followers soon dispersed, though some of them continued the struggle for two months, at the end of which period they were compelled to surrender. Thirteen of the leaders were summarily hanged, among them William Drummond, a Scotchman who had been governor of the Albemarle settlement in North Carolina in 1664. When he was brought before Berkeley, the old governor, bowing low, said: "Mr. Drummond, you are welcome. I am more glad to see you than any man in Virginia. Mr. Drummond, you shall be hanged in half an hour." When Berkeley went to England to explain matters King Charles refused to see him, saying: "That old fool has hanged more men in that naked country than I have done for the murder of my father."

The old cavalier retired to his home and died a few months later broken-hearted.

Conditions in Maryland under the Restoration were somewhat similar to those in Virginia. In March, 1660, the Assembly with the connivance of Josias Fendall, who had been appointed governor by Lord Baltimore in 1657, took things into its own hands, abolished the council, and practically repudiated Lord Baltimore's authority. The rights of the proprietor were, however, upheld by Charles II, and Fendall's movement came to nought. In 1661 Charles Calvert was appointed governor by his father and on the latter's death in 1675 succeeded to his rights as proprietor. He restricted the suffrage, reduced the number of representatives in the Assembly, conferred most of the important offices on his Roman Catholic relatives, and ruled arbitrarily. News of Bacon's rebellion started an uprising, but the leaders were arrested and it amounted to nothing.

In 1675 Massachusetts and all New England became involved in a struggle with the Indians known as King Philip's War, which extended from the Connecticut Valley to the settlements in Maine. In August, 1676, King Philip was taken and slain. Out of a military population of five thousand in Massachusetts and Plymouth, one in ten had been killed or captured, over forty towns had been fired, and more than a hundred thousand pounds spent in military expenses.

In 1684 Massachusetts was deprived of her charter on the ground that she had violated the acts of trade and was guilty of other shortcomings. The following year James II came to the throne and in May, 1686, he appointed Sir Edmund Andros governor-general of New England. Meanwhile a temporary government had been organized in Massachusetts, which abolished the representative Assembly, enforced the

Maryland
under
Charles II

King
Philip's
War, 1675-
1676,

Massachu-
sets de-
prived of
her charter,
1684

navigation acts, and in June, 1686, established for the first time an Episcopal Church in Boston.

Andros arrived in Boston December 20, 1686, and his administration lasted until April, 1689. Plymouth and

The rule of
Governor-
General
Andros,
1686-1689

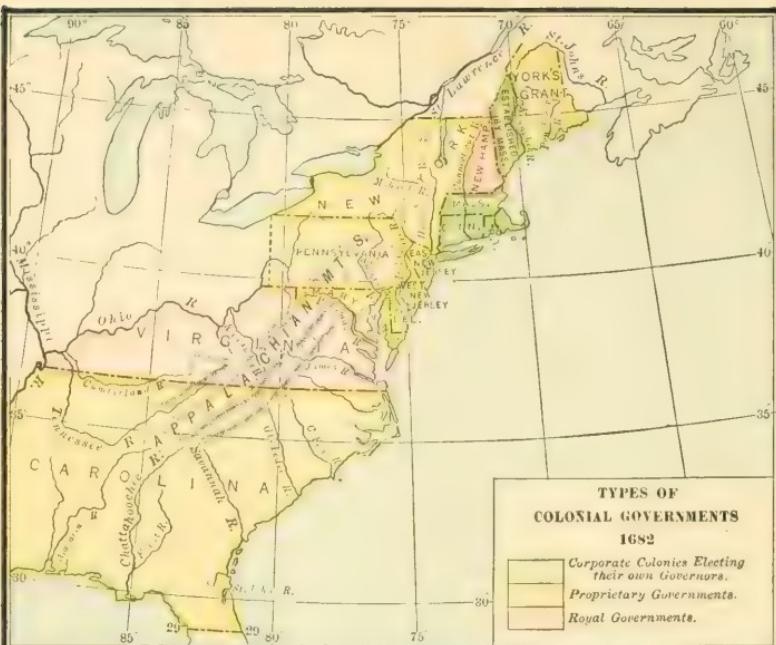
Rhode Island submitted to his rule but the Connecticut authorities tried to retain their separate government. In October, 1687, Andros went to Hartford, dissolved the government and annexed the colony to the dominion of New Eng-

land. But the authorities held on to their charter, hiding it in a hollow oak. In August, 1688, Andros visited New York and took formal possession of the government of that province and also of the Jerseys. Thus all of British America from Delaware Bay to Nova Scotia was under the rule of one governor-general. When Andros returned to Boston he left Francis Nicholson as deputy governor in New York. Penn's provinces, Pennsylvania and Delaware, were spared. The main purpose of the king in consolidating the northern colonies was to secure a rigid enforcement of the navigation acts and to afford protection against the French.

The English Revolution of 1688-1689, which placed William and Mary on the throne, brought to a head the

The English
Revolution
in America,
1688-1689

discontent that existed in several of the American colonies. When the news that the Prince of Orange had landed in England and that James had fled from the kingdom reached Boston, the people rose in open revolt, seized Governor Andros and cast him into prison. They then reorganized their government under the old charter. Connecticut and Rhode Island likewise reorganized under their former charters, and their action was later approved. But Massachusetts had been insubordinate under the old charter, so in the new charter, granted in 1691, an important change was made. Henceforth the governor was to be appointed by the Crown instead of being elected by the people.



**TYPES OF
COLONIAL GOVERNMENTS**

1682

	Corporate Colonies Electing their own Governors.
	Proprietary Governments.
	Royal Governments.



**TYPES OF
COLONIAL GOVERNMENTS**

1730-1763

	Corporate Colonies Electing their own Governors.
	Proprietary Governments.
	Royal Governments.

At the same time Plymouth, which was a small and relatively weak colony and had never had a charter, was annexed to Massachusetts. Maine was likewise formally added to her powerful neighbor who had held her without authorization for nearly half a century.

Revolutions also took place in Maryland and in New York. In the former province John Coode took advantage of the governor's delay in proclaiming the accession of William and Mary, to stir up the Protestants and seize the government in the name of the new sovereigns. For the next twenty-five years the province was under a royal governor. Lord Baltimore was never formally deprived of his rights, and when a Protestant succeeded to the title in 1715, the proprietary rights were restored and the Baltimore heirs continued to govern the colony until the American Revolution.

Revolutions
in Maryland
and in New
York

In New York, Governor Nicholson was slow in acknowledging William and Mary, and Jacob Leisler headed a revolt and seized the fort. His self-constituted rule was unnecessarily harsh and severe, and when a new royal governor, Henry Sloughter, arrived in 1691, Leisler was, without real justification, tried and hanged for treason.

The eighteenth century was a period of rapid growth and expansion. In 1700 the total population of the colonies was about 275,000. By 1750 it had risen to 1,200,000 and at the beginning of the Revolution in 1775 it was about 2,600,000. Throughout the colonial period Virginia had the largest population, numbering in 1750, 275,000. Massachusetts came next with 180,000; Pennsylvania third with 150,000; Maryland fourth with 137,000; and Connecticut fifth with 100,000. New York and North Carolina each had about 80,000. The relative rank in population was about the same at the beginning of the Revolution, except that North Carolina had risen to the fourth place. Of the cities Boston was the largest

Growth of
population,
1700-1750

throughout the seventeenth century and continued to hold first place until the middle of the eighteenth century, when Philadelphia outstripped her. In 1760 Philadelphia had a population of 18,700, Boston of 15,600, New York of 14,000 and Charleston of 8000.

Beyond the natural increase of population there was during the eighteenth century a large immigration from **The German immigration** Scotland, Ireland, England, and the continent of Europe. Germans were among the first settlers of Pennsylvania, but the German immigration to that colony did not assume very large proportions until the eighteenth century, when, as the result of religious persecutions, German Protestants were encouraged by Great Britain to seek refuge in her colonies. Among the German and Swiss immigrants were representatives of various sects : Lutherans, German Reformed, Mennonites, Dunkards, and Moravians. A German newspaper was founded at Germantown in 1739 and another at Philadelphia in 1743.

The last and most important addition to the population of the colonies was the immigration of the Scotch-Irish **The Scotch-Irish** Presbyterians which began about the close of the first quarter of the eighteenth century. They came first to Pennsylvania and finding the eastern part of the province already occupied, pushed rapidly to the West, and in time filled the Alleghany region. From western Pennsylvania they soon found their way into the valley of Virginia where they were followed by many German families. From the valley of Virginia the Scotch-Irish spread southward into North Carolina, Tennessee, and South Carolina, and in the period immediately preceding the Revolution, into Kentucky.

While the first stream of Scotch-Irish immigration came through Pennsylvania and the valley of Virginia, many of the later immigrants landed in eastern Virginia and in

Charleston, and pushed their way westward. It is claimed by some authorities that as many as 500,000 Scotch-Irish had come to America by the beginning of the Revolution. Finding the Tidewater and Piedmont sections of the South already occupied, most of the Scotch-Irish were forced to seek lands in the mountainous regions of the West. They were a brave, sturdy, frugal, and energetic race, well suited to the hardships and dangers of frontier life. They not only played a most important part in the later French and Indian wars and in the Revolution, but in the gradual conquest of the continent by the forces of civilization the Scotch-Irish have always been found on the frontier. In fact, the history of the American frontier is largely the history of the Scotch-Irish in America.

The plan for founding a colony in Georgia originated with James Oglethorpe, an English gentleman of good family who had served in the continental wars and later entered the House of Commons. Early in his parliamentary career he became interested in reforming the harsh laws against debtors and the idea of colonizing the poorer class of debtors in America occurred to him.

The found-
ing of
Georgia,
1732

The philanthropic feature of the scheme was only one side of it. Oglethorpe proposed to found a military colony on the southern frontier of South Carolina as a protection against the Indians and against the Spanish. He enlisted the sympathy of many prominent noblemen and clergymen, and in June, 1732, they received from the king a charter incorporating them as "the trustees for establishing the colony of Georgia in America." They were granted a strip of territory lying between the Savannah and the Altamaha and extending from their headwaters westward to the South Sea. The government was to be proprietary in form for a period of twenty-one years, after which Georgia was to become a royal province.

In the plans of the trustees there were two novel features: slavery was prohibited and the importation of rum was forbidden. In 1738 over a hundred free-holders signed a petition to the trustees urging that these prohibitions be removed. Even Whitefield, the celebrated missionary, who had founded an orphan school in Georgia, believed that the progress of the colony had been greatly delayed by the lack of negro slaves. In 1749 the prohibition against negro slavery was removed and the following year the act prohibiting the importation of rum was repealed. After the removal of these restrictions, planters from South Carolina moved into Georgia with their slaves and within two years nearly a thousand slaves had been brought into the colony. In spite, therefore, of the efforts of the trustees to found a colony of small freeholders, the plantation system with its characteristic features soon developed.

The southern colonies were devoted largely to agricultural pursuits and the most characteristic feature of southern economic life was the plantation system which was well established in Virginia by the middle of the seventeenth century. Large plantations were also the rule in Maryland and South Carolina. In North Carolina, where there was from the first greater diversity of industry, the land was more evenly distributed and there was not the same tendency to large estates.

In Virginia and Maryland the plantation system was closely connected with the cultivation of tobacco, which early became the staple crop. Tobacco culture is very exhausting to the soil and under the system of cultivation in vogue in the colonial period required the constant clearing of new land and the abandonment of old. The scientific care and improvement of soils were then unknown and even if they had been known, the expansive system of cultivation would have been cheaper where there was an abundance of land.

**The failure
of Ogle-
thorpe's
policies**

No new country ever has enough cheap labor and this is especially true of new agricultural communities where land is cheap and plentiful. The demand for cheap ^{Slavery} labor in Virginia, as in most of the colonies, was first met by the development of the system of white servitude, which made its appearance early and grew rapidly. Throughout the seventeenth century it was the main source of labor in the southern colonies. In 1683 there were nearly 12,000 white servants in Virginia and only 3000 slaves.

The Treaty of Utrecht of 1713 gave England a monopoly of the slave trade with the Spanish colonies and the surplus slaves were dumped on the British colonies. Under this policy slavery grew by leaps and bounds until, by the middle of the eighteenth century, the number of slaves in Virginia was rapidly approaching that of the entire white population, 120,000 blacks to 173,000 whites. In South Carolina the blacks outnumbered the whites. In 1750 negro slavery was recognized by law in every North American colony and the total slave population was about 300,000. The slave population of New England was too small, except in Rhode Island, to be of any special economic or social significance. In the middle colonies the largest number of slaves was to be found in New York, where they formed between one sixth and one seventh of the population.

The distribution of the slave population was determined almost entirely by economic conditions. While the evils of slavery were recognized the only outspoken opposition to the system came from the Quakers of Pennsylvania. Many of the most prominent and respected merchants of Boston and Newport were engaged in the slave traffic. Great excitement arose in New York in 1712 and again in 1741 over the alleged discovery of "negro plots" and on the latter occasion fourteen slaves were burned at the stake and eighteen were hanged.

In the North there were few large estates to be found except along the Hudson, but even these failed to develop a real plantation system. In the northern colonies there was from the first a much greater variety of industries. The middle colonies produced beef, pork, grain, and other food products. In New England the main industries were shipbuilding, fisheries, and the manufacture of rum. All the colonies depended largely upon England for their clothing and other manufactured goods. There was, however, sufficient progress made in manufactures to arouse the jealousy of English merchants. As early as 1698 Parliament undertook to check the woolen industry in New England, and later restrictions were placed on the hat industry and on the manufacture of iron.

In the commerce of the colonies the Indian fur trade played an important part from the first, and the intense rivalry between the several colonies and between the English and the French frequently led to serious Indian troubles. The Indian trade was always difficult to regulate. In commerce by sea New England always held the lead. Her fisheries which were early developed formed the basis of her trade with foreign countries.

The most important trade carried on by New England, however, was with the West Indies. In addition to fish, lumber, and horses, provisions and a few British manufactures were exported. In return the New Englanders brought back sugar and other West Indian products and large quantities of molasses for the New England distilleries. New England rum was consumed all through the colonies and a large amount was shipped to the coast of Guinea, where it was exchanged for negro slaves who were sold in the West Indies and in the American colonies. Massachusetts and Rhode Island were largely engaged in this trade.

Development of industry in New England and the middle colonies

Trade with the West Indies

In 1721 the Board of Trade called attention to the fact that the New Englanders were buying a large part of their sugar and molasses from the French and Dutch colonies, and in 1731, the British merchants and sugar planters petitioned Parliament for relief. This led to the celebrated Molasses Act of 1733, which placed prohibitory duties on foreign sugar, molasses, and rum imported into the English colonies. This act encountered great opposition in the northern colonies and it was persistently violated.

Piracy was very common in the early years of the eighteenth century, especially in the West Indies, but there were several notorious characters who infested the shores of America. Among them the best known were Captain William Kidd, Teach or Thatch, commonly known as Black Beard, and Steve Bonnet. Kidd was sent out by Lord Bellomont, governor of New York, to capture pirates, but ended by turning pirate himself. He was finally seized, sent to England for trial, and executed. In 1718 Governor Spotswood of Virginia sent an expedition in search of Black Beard which engaged in a pitched battle with him on the coast of North Carolina. Black Beard and several of his accomplices were killed. In the same year Bonnet and several of his followers were captured by an expedition sent out by the governor of South Carolina, were tried and executed. A little later another battle took place off Charleston in which several pirates were captured and afterwards convicted and put to death.

Domestic commerce was seriously hampered by the lack of a colonial currency. There was almost no English money in the colonies, and the Spanish silver which came in through the New England trade with the West Indies was limited in amount and rated differently in the different colonies. In Virginia tobacco was the regular currency, even salaries of colonial officials being fixed by statute in so many thousand pounds of tobacco. Ware-

The lack of
a colonial
currency

house receipts formed a convenient circulating medium. The Virginia planter bought all his supplies through the London merchant to whom he shipped his tobacco. The merchant credited him on his books with the amount realized from the crop, and the planter drew on this credit as on a bank account. In many of the colonies the system of primitive barter still continued. Massachusetts was the first colony to issue paper money. This was done to meet the expenses of the expedition against Quebec in 1690.

The English Church was established in Virginia from the first and that colony continued to be its main stronghold during the eighteenth century. It was not definitely established by law in any of the other colonies until the Revolution of 1688. Virginia had always been under the jurisdiction of the Bishop of London and his authority over the other colonies had been recognized in a general way. The Bishop of London was a member of the Board of Trade, though he did not attend its sessions unless notified that some ecclesiastical matter was to come up.

The Anglican Church occupied a peculiar status in America. No bishop ever set foot in the colonies prior to the American Revolution, and an Episcopal Church without a bishop is something of an anomaly. This defect was partially remedied by the appointment of representatives of the bishop known as commissioners, but a commissary was granted only a small share of episcopal authority. The first American commissary was James Blair, who was sent to Virginia shortly after the Revolution of 1689. Blair greatly strengthened the Church by disciplining the clergy and by bringing over new ministers to fill the vacant parishes. His greatest work was the founding of William and Mary College in 1693.

In the New England colonies the Anglican Church had to struggle for its existence. Except in Rhode Island the

Congregational churches were supported by public taxation. In Massachusetts the Church of England had been tolerated since 1660 only at the express command of the king, and the first church was established in Boston in 1686. The rigid Puritanism of the early days, however, was being somewhat relaxed and the Congregational Church suffered from division into a conservative and a progressive faction. Under these conditions Quakers, Baptists, and Episcopalians began to make headway and demanded exemption from taxes levied for the support of the Congregational Church. By 1730 they had been partially relieved of this burden in both Massachusetts and Connecticut. The complete separation of Church and State in these colonies did not take place, however, until long after the American Revolution.

Many of the colonial governors were men of scholarly tastes, and urged the needs of education upon the attention of the colonial assemblies. The Anglican Church also exerted its influence in favor of education. *The Church in New England* Blair in Virginia and Bray in Maryland were both very active in this cause, and Dean Berkeley, afterwards famous as bishop and philosopher, came to America for the purpose of founding a college and lived for three years at Newport, Rhode Island. He was disappointed in his plans and returned to England, but he made gifts of books to both Harvard and Yale.

Harvard College was founded in 1638. There was no other college founded in America until 1693 when Blair secured a royal charter for the College of William and Mary. Blair was its first president and held the office for fifty years. Williamsburg where it was located also became the capital of the colony and a center of social and political influence. The need of a college in Virginia had been less felt than in New England, as the more frequent intercourse with the mother country

Education

The found-ing of colleges

rendered it easy for the sons of wealthy planters to go to the English universities for their education. This had been quite common in the seventeenth century and continued to some extent after the founding of William and Mary College.

Yale College in Connecticut was founded in 1701, like Harvard and William and Mary, under ecclesiastical influences. Its chief promoters were Harvard graduates who felt that the older college was drifting away from orthodox standards. Yale became a stronghold of Calvinism and two of its graduates, Jonathan Dickinson and Jonathan Edwards, became the first two presidents of the College of New Jersey, which was chartered in 1746. About ten years later King's College, now Columbia University, was founded under Anglican auspices, and the University of Pennsylvania, through the influence of Benjamin Franklin. The latter was of all colonial colleges the freest from ecclesiastical control.

In the founding of these colleges donations of books are frequently mentioned, so that the importance of libraries was recognized. In 1698 the South Carolina **Libraries** Assembly made an appropriation for a library in Charleston which was the first public library in America. In 1731 Benjamin Franklin founded a public subscription library in Philadelphia. The most valuable and best selected private collection of books in America prior to the Revolution was the library of William Byrd of Westover, which contained four thousand volumes.

The first colonial newspaper was the Boston *News Letter* founded in 1704. During the next twenty years newspapers were established in Rhode Island, New York, **Newspapers** Pennsylvania, Maryland, Virginia, and South Carolina. Most of these were weeklies. As the facilities for gathering American news were poor, these papers were unfortunately defective on that side. They devoted a large part

of their space to English polities and court life and to essays on literary subjects. In 1735 Boston had five newspapers.

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8. **The Plantation System, Servitude, and Slavery:** Channing, Vol. II, Chap. XIII; Fiske, *Old Virginia*, Vol. II, pp. 181-203, 220-235, 327-333; P. A. Bruce, *Economic History of Virginia in the Seventeenth Century*, Vol. I, Chap. IX and Vol. II, Chaps. X, XI, XII, XXI.
9. **Commerce and Piracy:** Greene, Chap. XVII; Fiske, *Old Virginia*, Vol. II, Chap. XVI; Channing, Vol. II, pp. 507-521; W. B. Weeden, *Economic and Social History of New England*, Chap. IX.
10. **Religion and Education:** Channing, Vol. II, Chaps. XV, XVI; Greene, Chaps. VI, XVIII; Bruce, *Institutional History of Virginia in the Seventeenth Century*, Vol. I, Parts I and II.

CHAPTER IV

THE RISE AND FALL OF NEW FRANCE, 1608-1763

WITHIN a few years of Cabot's voyage to North America English, French, Portuguese, and Spanish fishermen began **The French in Nova Scotia, 1605** to resort annually to the shores of Newfoundland, and built up an extensive fishing industry. In 1541 Roberval and Cartier undertook to form a settlement at Quebec, but the post was soon abandoned. The first permanent French colony was established by the Sieur de Monts at Port Royal, Nova Scotia, in 1605. Acadia, as this region was called by the French, became the scene of early conflicts between the English and the French.

The real founder of New France was Samuel de Champlain, who in 1608 selected Quebec as the best place for a permanent **Champlain and the founding of Quebec, 1608** stronghold and formed a settlement there. He had been associated with De Monts at Port Royal, and was now made governor of New France, a position which he continued to hold when the new company of the Hundred Associates was organized. Champlain was a great explorer. He led in person parties up the Saguenay, the Ottawa, along the shores of Lake Huron and the region around Lake Champlain. In 1609 he committed a most unfortunate indiscretion in accompanying a body of Algonquins in an attack on the Iroquois. They met a body of two hundred and fifty warriors on the shores of Lake Champlain near the point where Fort Ticonderoga was afterwards built, and, with the aid of firearms, won an easy victory. Later on he invaded the Iroquois territory with a body of Hurons. These expeditions profoundly affected the whole future history of New France,



for the Iroquois occupied a strategic position in the Mohawk Valley, and the hostility of the French drove them into friendly relations first with the Dutch and later with the English in New York.

The St. Lawrence and Ottawa rivers and the Great Lakes afforded easy access to the interior of the continent, and, in spite of the efforts of Champlain and the later governors to develop agricultural communities around Quebec and Montreal, they found it impossible to prevent the settlers from spreading over the entire lake region and engaging in the fur trade on their own account. There grew up a class of woodrangers, or *coureurs de bois*, who became the boon companions of the Indians, adopted their modes of life and methods of hunting, and intermarried with them. They interfered seriously with the monopoly of the fur trade which the Company reserved for itself, and edict after edict was issued against them, but to no purpose.

The Jesuit missionaries followed close on the heels of the *coureurs de bois*, and from the Indians they first learned of the great river to the west. The Jesuits displayed in America their usual zeal and activity, and the history of their widespread labors among the Indians is a fascinating and unsurpassed record of self-sacrifice and devotion.

Owing to the hostility of the Iroquois, the early explorers and traders followed the line of the Ottawa River instead of Lakes Ontario and Erie. From the Ottawa River they crossed by a short portage to Lake Nipissing, thence down French River to Georgian Bay, and westward into Lakes Superior and Michigan.

Lake Erie was the last one to be explored. It was by way of Lake Michigan and Green Bay that the Mississippi was first reached. In 1673 Father Jacques Marquette, accompanied by Louis Joliet, went from Green Bay up the Fox River, thence by an easy portage to the Wisconsin, and

Fur traders
and mis-
sionaries

The upper
Mississippi
discovered,
1673

thence down the Wisconsin to the Mississippi. When they started out they firmly believed from information derived from the Indians that the Mississippi entered the South Sea or Pacific Ocean. They proceeded down the river as far as the mouth of the Arkansas, where they became satisfied from inquiry among the Indians that it emptied into the Gulf of Mexico. They then retraced their course and Joliet hurried back to Quebec with news of the discovery.

Count Frontenac, the governor, was quick to recognize the importance of this discovery, and his young protégé, Robert Cavelier, Sieur de la Salle, who had come to Canada a few years before, was eager to extend the influence of France into the valley of the Mississippi. After several years of preparation and a visit to France for the purpose of securing from Louis XIV a patent authorizing him to establish forts and to engage in the fur trade, La Salle finally entered the Mississippi River, by way of the Illinois, in February, 1682, and two months later reached its mouth.

Returning to France by way of Canada, he received a commission as governor of the country between Lake Michigan

**Appointed
governor of
Louisiana** ian and the Gulf of Mexico, which he had named Louisiana in honor of the king, and in July, 1684, sailed from Rochelle with four ships and four hundred men to take possession. The expedition was



LA SALLE.

unable to find the mouth of the Mississippi and was forced to land on the coast of Texas. Some of the party returned to France and finally in January, 1687, after the one remaining ship was wrecked, La Salle set out for Canada with a few followers on horses secured from the Indians. Two months later on the banks of the Trinity River in Texas he was assassinated by one of his companions. La Salle was an explorer of great energy, ability, and resourcefulness, but as a leader he was haughty and harsh towards his inferiors, and made bitter enemies. Notwithstanding his failure to settle the country, La Salle is justly remembered as the founder of Louisiana.

Ten years after his death his work was taken up by the two sons of Charles le Moyne of Quebec, Pierre, the elder, known from his seigniory as Iberville, and Jean Baptiste, the younger, known as Bienville. They sailed from Brest in October, 1698, with two hundred soldiers and colonists, and landed on Biloxi Bay, where they built Fort Maurepas in February, 1699. In 1702 the colony was moved to Mobile Bay, and in 1710 the town of Mobile was founded by Bienville. He also founded New Orleans in 1718 and made it the capital of the province. Bienville served as governor during most of the time until his death in 1743.

Meanwhile the accession of William and Mary to the English throne had brought on a war between England and France. Since the Revocation of the Edict of Nantes Louis XIV had been regarded as the great enemy of Protestantism, and William, who for years had headed the European alliance against Louis, was regarded as its champion. The English people were strongly Protestant in their sympathies, but their Protestantism had had little influence on the foreign policy of the country during the reigns of Charles II and James II, both of whom were Catholics. In fact, English

The settle-
ment of
Louisiana,
1699

Change in
England's
foreign
policy

diplomacy had been wavering and inconsistent. In the secret treaty of Dover in 1670 Charles had committed England to the support of Louis's schemes, and England had coöperated with France against the Dutch in 1672. William's accession to the throne brought about a radical change of foreign policy.

War was declared in Europe in April, 1689, but it was several months before hostilities began in the colonies.

Count Frontenac Count Frontenac, who was now sent out as governor of New France for the second time, was a soldier of wide experience and great ability and by far the ablest of all the French governors of Canada. There was no leader on the English side who could be compared with him. In addition to this the government of Canada was strongly centralized. There were practically no restrictions on the governor and he had all of his resources well in hand. The decentralization of the English colonies, on the other hand, was a great disadvantage to them from a military point of view.

The principal incidents of the war in America were the capture of Schenectady by Count Frontenac in February,

King William's War, 1690-1697 1690, the futile attempt of Governor Phips of Massachusetts to take Quebec with a New England fleet later in the year, and Frontenac's raids into the Mohawk Valley in 1693 and 1696.

The war in America was on the whole indecisive, though during the closing months the French had somewhat the advantage, and their influence over the Indians had been strengthened. The war was brought to a close in 1697 by the Treaty of Ryswick, which was a truce rather than a treaty of peace as far as the general questions at stake were concerned. In America each party received back the possessions which it had held at the beginning of the struggle.

In the great War of the Spanish Succession, which began in 1702, England was again opposed to France, and hostilities

soon broke out in America. The first years of the war were marked by French and Indian raids on the frontier towns of New England. In 1704 occurred the most harrowing episode of the war, the night attack on Deerfield, in which men, women, and children were murdered and a hundred prisoners carried off to Canada, many of them never to return. Several expeditions against Canada were planned, but the only one that was successfully carried out was that against Acadia. In 1710 Nicholson, with the aid of New England militia and some British war ships, captured Port Royal. The name was changed to Annapolis in honor of the queen, and Acadia became the royal province of Nova Scotia.

The position of England was greatly strengthened by the Peace of Utrecht, signed in 1713. In the Mediterranean she acquired Gibraltar and Minorca; in the West Indies, St. Christopher; and in America, Nova Scotia, together with the recognition of her claim to the Hudson Bay region and Newfoundland. France also agreed to recognize the Iroquois as subjects of the king of England.

Another arrangement of the Treaty of Utrecht was destined to exercise a profound influence upon the English colonies in America. England secured from Spain the *asiento*, or contract, for supplying the Spanish colonies with African slaves. Under the terms of this lucrative monopoly England became the great slave-trading power of the world, and the surplus slaves not taken by the Spanish colonies were forced upon the English colonies of North America. After this date slavery increased very rapidly in the English colonies, and act after act was passed by colonial assemblies, especially that of Virginia, restricting or prohibiting the importation of slaves, but they were all disallowed by the home government. The vetoing of these bills was one of

Queen Anne's War,
1702-1713

Peace of
Utrecht,
1713

The asiento
of 1713 gives
England a
monopoly of
the slave
trade

the indictments against England placed by Jefferson in the original draft of the Declaration of Independence, but stricken out by the committee in the revision.

The asiento proved the entering wedge for an extensive smuggling trade on the part of English freebooters. Spain's colonial policy had been formulated in the interests of her own merchants and manufacturers, and her colonies were absolutely forbidden to trade with any other country. As a result of these narrow restrictions her West Indian and South American colonists secretly encouraged English smuggling, and the illicit trade grew to enormous proportions. In order to break up this commerce which was seriously interfering with her own trade, the Spanish government resorted to very high-handed proceedings, stopping and searching English ships on the high seas, and frequently resorting to inexcusable outrages. Thus the two countries gradually drifted into a state of war which was formally declared October 19, 1739. Admiral Vernon was dispatched with a strong squadron to the West Indies. In November, 1740, he captured and destroyed Porto Bello on the Isthmus of Panama, but was repulsed before Cartagena, Colombia, a few months later.

The war between England and Spain was soon overshadowed by the larger European struggle known as the War of the Austrian Succession. News of the declaration of war between England and France in 1744 reached Louisburg two months before it was received in Boston, and the British outposts in Nova Scotia were attacked without warning. When news of these attacks reached Boston, Governor Shirley of Massachusetts at once began making plans for the capture of Louisburg. To this expedition Massachusetts contributed 3300 men, Connecticut 516, and New Hampshire 454. In March, 1745, the expedition left Boston under com-

**King
George's
War, 1744-
1748**

mand of William Pepperell, a wealthy merchant, and with the aid of a British fleet captured Louisburg after a siege of six weeks. The news was received at Boston with unbounded enthusiasm and created great rejoicing throughout the other colonies and also in England. Plans were at once outlined for an attack on Quebec and Montreal, and if the British government had shown the energy that it did later under Pitt, the conquest of Canada might have been effected at this time. The government failed to send the promised support and the preparations were diverted by the appearance of a French fleet in American waters.

Meanwhile a savage border warfare was in progress along the New England and the New York frontier, in the course of which the Indians led by French officers committed the usual atrocities. It is unnecessary to enter into the details of these raids. In the arts of Indian diplomacy the French were usually superior to the English and they had long been tampering with the Iroquois. But their endeavors in this direction were thwarted by the skill and shrewdness of a young Irishman named William Johnson, who had acquired a large estate in the Mohawk Valley, and whose remarkable influence over the Iroquois stood the English in good stead until the final conquest of Canada.

The war in Europe and America was brought to a close by the Peace of Aix-la-Chapelle, July, 1748. So far as general results were concerned the contest was a drawn battle. All conquests were restored. This was a severe blow to the New Englanders who had shed their blood in taking Louisburg, and indignation against the home government was openly expressed. It was felt that American interests had been sacrificed to the general interests of the British empire.

In view of the vast territory covered by the French in America it is always surprising to recall the fact that the

William
Johnson
and the
Iroquois

The Treaty
of Aix-la-
Chapelle,
1748

population at the middle of the eighteenth century was only about 80,000. The English settlements, on the other hand, confined largely to the seaboard strip east of the Alleghanies, had a population of at least a million and a quarter. New France was divided into two provinces, Canada and Louisiana. The government of each was highly centralized and modeled after that of a French province.

In Canada everything was centralized at Quebec and all authority was vested in three autocrats: the governor, the intendant, and the bishop. The governor had charge of both civil and military affairs; the intendant had a general supervision over financial matters and the administration of justice, presided over the council and acted as a check upon the governor by making confidential reports directly to the king; the bishop looked after the interests of the Church, and, through the parish priests, exercised a powerful influence over local matters.

France was now firmly entrenched in the St. Lawrence Valley and on the lower Mississippi, and these regions were

The Ohio Company chartered, 1749 connected by a long line of forts extending from the Great Lakes to the Ohio and the Mississippi.

The final struggle for the control of the continent began in the center on the headwaters of the Ohio River. Fur traders from Virginia and Pennsylvania had long been familiar with this region when, in 1749, the Ohio Company received a charter and a grant of half a million acres along the Ohio River. This company was regarded as a Virginia enterprise. It numbered among its incorporators many prominent Englishmen, as well as several Virginians, among the latter being Washington's two brothers, Lawrence and Augustine.

Christopher Gist, a well-known frontiersman, was sent out in 1750 to explore the country as far as the falls of the Ohio (Louisville), and to select the lands for the Company. The

Company also constructed a fort at Wills Creek, now Cumberland, Maryland, and, with the aid of Colonel Thomas Cresap and the Indian chief Nemacolin, blazed a trail over the mountains to a point on the Monongahela, sixty miles distant, where they built another fort (1752). This famous trail is known in history variously as Nemacolin's Path, Washington's Road, Braddock's Road, and the Cumberland Pike.

The French were stirred by these movements to advance their outposts south of Lake Erie and in 1753 they built Fort Le Bœuf on French Creek, a tributary of the "The Forks Alleghany, and seized the English trading post *of the Ohio*" of Venango, at the mouth of French Creek. With an English outpost on the Monongahela and a French outpost on the Alleghany it was evident that the junction of these rivers, known as the "Forks of the Ohio," would be the strategic point in the contest.

In November, 1753, Governor Dinwiddie of Virginia determined to send a messenger to Fort Le Bœuf to warn the French against occupying a region "so notoriously known to be the property of the crown of Great Britain." For this mission he selected Major George Washington, who was then twenty-one years of age and who held the position of adjutant general of the Virginia militia. Guided by Christopher Gist and a small party of attendants, he successfully accomplished the perilous task. The commandant at Fort Le Bœuf received him courteously, but replied that he would await the orders of the governor of Canada.

In January, 1754, Captain William Trent, acting in behalf of the Company and under instructions from the governor of Virginia, began the construction of a fort at the forks of the Ohio. The governor had intended that Washington should follow shortly with a force to support him, but the Virginia Assembly delayed making the necessary appropriations. Aid from New York and North Carolina had been

The English
driven from
the Ohio,
1754

promised, but was likewise delayed. Finally on the last day of March, Washington set out with three hundred Virginians. At Wills Creek he met Trent, who had been driven from the Ohio by the French and their Indian allies. Without waiting for reinforcements Washington continued his advance, but after defeating one body of the enemy, he was compelled by a larger force a few days later to take refuge behind a hastily constructed palisade at Great Meadows, and finally to capitulate. He retired to Wills Creek. The French completed the fort at the forks of the Ohio, and named it Fort Duquesne.

In June, 1754, the first colonial congress of any importance met at Albany at the suggestion of the British government ^{The Albany Congress, 1754} for the purpose of treating with the Iroquois, who were being tampered with by the French, and for the further purpose of formulating a plan for intercolonial union. There were present representatives from Massachusetts, New Hampshire, Rhode Island, Connecticut, New York, Pennsylvania, and Maryland; among them were several men of later note, such as Benjamin Franklin of Pennsylvania, Thomas Hutchinson of Massachusetts, Stephen Hopkins of Rhode Island, and William Johnson of New York.

The plan of union provided for a president-general appointed by the king and a federal council of representatives from the several colonies, to have special authority over Indian relations, public lands, and military affairs. The scheme was rejected by the colonies and failed to receive the approval of the British government. There was no further attempt at colonial union until the calling of the Continental Congress which adopted the Declaration of Independence.

In answer to Governor Dinwiddie's appeals, the British government finally sent General Edwin Braddock to America with two Irish regiments. He arrived at Alexandria in March, 1755, and in April a conference with the governors

of Virginia, Massachusetts, New York, Pennsylvania, and Maryland was held at his headquarters. It was decided that the campaign should be opened on a large scale and the French attacked at four different points: Braddock was to go against Fort Duquesne; Shirley and Pepperell were to attack the French Fort at Niagara, the key to the lake route; William Johnson was to move against Crown Point on Lake Champlain; and Colonel Robert Monckton was to reduce Fort Beauséjour on the isthmus connecting Nova Scotia with the mainland.

Preparations
for the cam-
paign of
1755

Braddock and the other English officers looked with contempt upon the colonial militia, but he invited Washington to accompany him as aid with the rank of major. He also took with him a force of 450 Virginia militia, most of them experienced frontiersmen, and 50 Indian scouts. The expedition reached Fort Cumberland May 10, 1755; here Braddock waited a month for his cannon before the march was resumed. The French meanwhile had strengthened the garrison of Fort Duquesne and sent out a force of 70 regulars, 150 Canadians, and 650 Indians, under Captain Beaujeu. On July 8, 1755, while passing through a wide and bushy ravine, about eight miles from Fort Duquesne, Braddock was attacked by Beaujeu.

Braddock was not ambushed, as has often been stated, for he had been aware for some time that the Indians were hovering on his flanks. It was a typical frontier fight such as the Englishman trained in the methods of European warfare was unable to comprehend. The Virginians, following the Indian method of fighting, scattered and sought cover, while Braddock insisted on making his men fight in ranks. Their regular volleys fired at command did more harm to the Virginians than to the Indians. Washington wrote to Dinwiddie that "two thirds of both killed and wounded received their shots from our own cowardly dogs of soldiers."

The fight had lasted for about two hours when Braddock was shot through the arm and lungs and the command devolved upon Washington. After vainly endeavoring to rally the British, he retreated to Christopher Gist's plantation and later to Fort Cumberland. Braddock died from his wounds on the march. Fortunately the Indians did not pursue and the troops reached Fort Cumberland July 17. At news of the disaster British traders and settlers fled over the mountains, leaving the French in absolute control of the trans-Alleghany region.

Johnson's expedition against Crown Point and Shirley's expedition against Niagara were both likewise failures.

The fate of the Acadians The only successful campaign of the year was that of Monekton against Fort Beauséjour, which, with a force of a few regulars and two thousand New England volunteers, he captured early in June. The Acadians had never become reconciled to British rule. Under the influence of their French priests the majority of them had refused to take the oath of allegiance to Great Britain, and the disaffected element had gathered around Fort Beauséjour. They were once more ordered to take the oath, but under the influence of their priests they again refused. About seven thousand of them,—about half the population of the peninsula,—were deprived of their property, placed aboard transports and scattered among the English settlements from Massachusetts to Georgia. After great hardships and suffering some of them escaped to the French West Indies, others made their way to Louisiana, while a few, after years of wandering, managed to get back to Acadia.

Braddock's defeat left the whole western frontier exposed, and the Indians spurred on by the French were quick to take up the hatchet. The frontiersmen of the middle and southern colonies now suffered the unspeakable horrors of Indian raids, murder, pillage, the torch, and stake. Washington, now twenty-four years of age, was placed in

command of the western frontier. With a force varying from a thousand to fifteen hundred Virginia riflemen, he assumed the dangerous and arduous task of defending three hundred and fifty miles of frontier, marked by a line of forts at long intervals: Fort Ligonier in Pennsylvania, Fort Cumberland in Maryland, Fort Chiswell in Virginia, Fort Byrd on Holston, and Fort Loudoun on the Little Tennessee. This period of Washington's life is little known and the incidents of this fierce and bloody warfare are all but forgotten, overshadowed as they were by the larger operations against Canada.

Washington's defense of the Virginian frontier

Hostilities had been in full progress in America for over a year before war between England and France was formally declared in May, 1756. Lord Loudoun was now appointed commander-in-chief of the British forces in America and about the same time the Marquis de Montcalm, an able, brave, and energetic soldier and a gentleman of culture and refinement, took command of the French forces. Before the British were ready to take the field Montcalm captured the fort at Oswego with its garrison of three thousand men, and then established himself at Ticonderoga at the southern end of Lake Champlain with a force of 5000. The year 1756 closed for the English with failure and disaster on all sides. The year 1757 witnessed the failure of Loudoun's expedition against Louisburg, and the capture of Fort William Henry by Montcalm with the subsequent massacre of the prisoners by his Indian allies.

The disasters of 1756 and 1757

At this crisis William Pitt, the greatest Englishman of his age, was recalled to office and appointed Secretary of State for War and Foreign Affairs in the ministry of the Duke of Newcastle. Pitt at once concentrated his energies on the war in America. Loudoun was recalled and General James Abercromby was

William Pitt recalled to office, 1757

appointed to succeed him, while Colonel Geoffrey Amherst was sent over with the rank of major general to conduct operations against Louisburg. The new officers treated the colonials with great consideration, and 20,000 provincials were raised for the war.

Three separate expeditions were organized for the campaign of 1758: General John Forbes was to lead 1900 regulars and 5000 provincials against Fort Duquesne; Abercromby, with a force of 6000 regulars and 9000 provincials, was ordered to reduce Fort Ticonderoga and open the way to Canada; while Amherst, with brigadier generals Charles Lawrence, Edward Whitmore, and James Wolfe, was assigned 14,000 regulars for the reduction of Louisburg.

The expedition against Louisburg was a brilliant success. A strong fleet under command of Admiral Edward Boscawen coöperated with Amherst. The formal siege began June 2 and on the 26th the garrison surrendered after great breaches had been made in the walls and most of the batteries silenced. General Wolfe, who was the hero of the siege, returned to England on sick leave. In 1760 the fortress of Louisburg was torn down and Halifax became the stronghold of Nova Scotia.

Abercromby's expedition against Ticonderoga was a dismal failure. On July 8 in a great fight before Ticonderoga, lasting from nine in the morning until nightfall, he was repulsed by Montcalm with the loss of 1944 killed, wounded, and missing. Abercromby withdrew to the head of Lake Champlain where he continued during the rest of the summer, but Montcalm was too cautious to risk an attack.

Colonel John Bradstreet, one of Abercromby's officers, undertook a most important enterprise and achieved complete success. With a force of 2500 men he marched

**Military
preparations
for 1758**

**The fall of
Louisburg,
1758**

**The failure
of Aber-
cromby**

rapidly to Oswego by the Mohawk route, crossed Lake Ontario, and on August 27 captured and destroyed Fort Frontenac, including a number of French ships. From the strategic point of view this was a most important achievement. It gave the British control of Lake Ontario and isolated Fort Niagara and Fort Duquesne.

General Forbes assembled his expedition at Philadelphia and decided to march through Pennsylvania instead of following Braddock's Road from Virginia. He was late in starting and he proceeded with great deliberation, erecting a line of blockhouses as he advanced. After the fall of Fort Frontenac he intentionally delayed his advance, hoping that the motley array of Indians whom the commander of Fort Duquesne had summoned from the northwest would grow weary and return home. This proved a wise policy, for not only did the Indians desert, but the Canadian militia returned home for the winter, leaving the commandant with only four or five hundred men. When the British reached the fort, November 25, 1758, they found that the French had blown up the stronghold, burned their stores, and fled. Washington had the satisfaction of raising the British flag over the ruins. A new fort was erected and named Pittsburg in honor of England's great war minister.

Operations against Canada were actively pushed in 1759. The main attack was directed against Quebec along two lines. A military expedition commanded by Wolfe, now holding the rank of major general, and convoyed by a fleet under Admiral Saunders, was to proceed up the St. Lawrence, while Amherst, who had been appointed to succeed Abercromby as commander-in-chief, was to advance by way of Lakes George and Champlain. Wolfe, whom Pitt selected to lead the attack against Quebec, was only thirty-two

Brilliant
exploit of
Colonel
Bradstreet

The capture
of Fort Du-
quesne, 1758

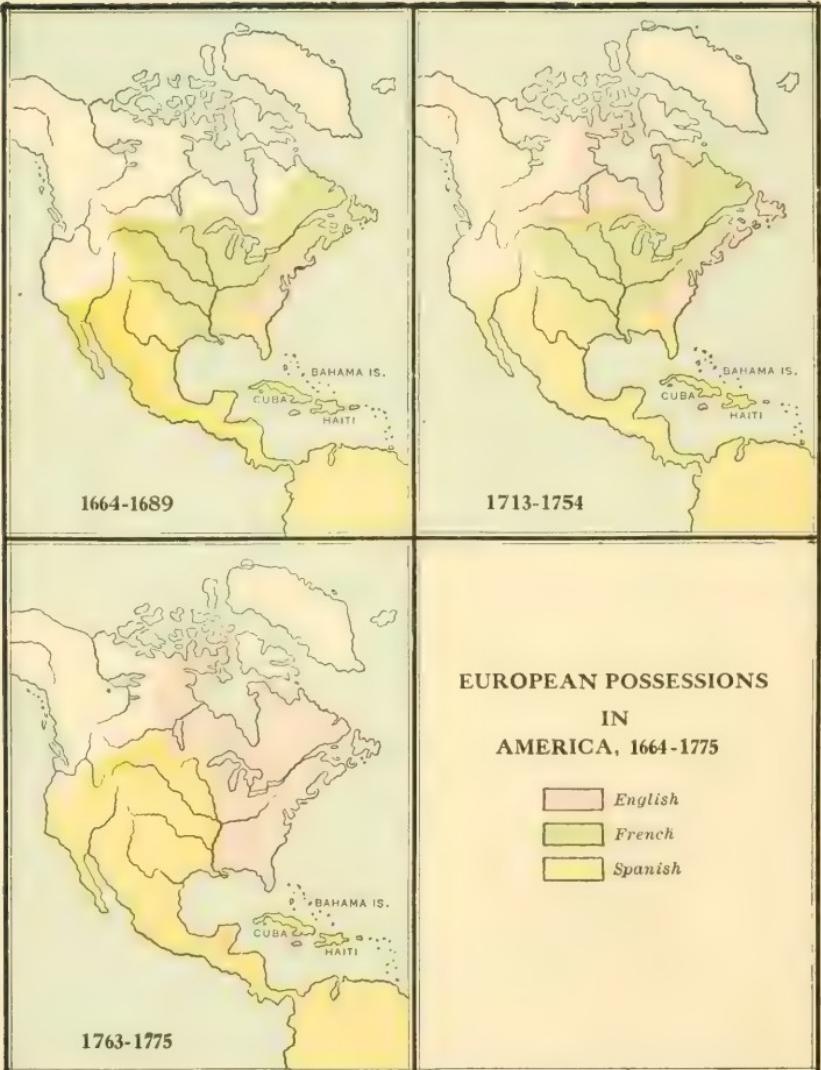
Wolfe
selected to
command
the expedi-
tion against
Quebec

years of age, and in spite of bodily frailties, possessed a most remarkable and impressive personality. In figure he was tall, slender, and narrow-shouldered. His portraits show a weak profile, receding forehead and chin, a slightly up-turned nose, and red hair. He had a very sensitive nature, and was naturally optimistic, but was subject to occasional fits of despondency. Although a strict disciplinarian he was greatly beloved by his men.

The fleet left Louisburg June 1, with 9000 soldiers and 18,000 sailors and marines. On learning of Wolfe's ex-
Montcalm's petition Montcalm collected 17,000 men at
able defense Quebec, 2000 of whom garrisoned the fortress, while the main force under his immediate command was stationed below the city, along the St. Charles River, with its left extending to the gorge of the Montmorenci, seven miles below. This position protected the passage of the St. Charles, which seemed the only possible approach to the town. The city of Quebec was built on a rocky promontory between the St. Lawrence and the St. Charles and was protected on the St. Lawrence side by a steep declivity of three hundred feet.

On June 26, the British fleet anchored off the Island of Orleans, opposite Montcalm's camp. Wolfe seized Point Levis on the mainland opposite Quebec and made several assaults upon Montcalm's front, in one of which he succeeded in landing a considerable force, but they were repulsed with the loss of five hundred men. He then moved his main camp to the heights of Montmorenci. The gorge which separated the two camps enabled each army to act on the defensive but made an attack on either extremely difficult. Meanwhile Wolfe had no news of Amherst and the situation was becoming critical. Amherst met with so many delays and the French opposed his advance so stoutly that he finally abandoned his plan of invading Canada that season.

During the latter part of August Wolfe was seriously ill



and gloom settled down over the camp. Early in September he was able to be up again, and, in view of the approaching winter season, he decided that he must attack the enemy at once or abandon the enterprise. After a conference with his officers he determined to attempt a landing above the city. With this end in view he broke up his camp at Montmorenci and embarked his troops aboard his ships. For several days a part of the fleet floated up and down with the tide past Quebec for the purpose of disconcerting the enemy. Finally during the night of September 12, with 1700 picked men in thirty open boats Wolfe floated down the river from a point above the city, and before daylight landed unobserved about two miles above Quebec at the point now known as Wolfe's Cove. A party of twenty-four men followed a winding path up the steep ascent and surprised and overcame the guard of one hundred men at the top. The rest of the party quickly followed and by sunrise Wolfe had a force of 4500 men on the Plains of Abraham before the walls of Quebec.

When Montcalm heard the astounding news at his headquarters ten miles distant he hastened with his troops across the St. Charles and the battle began. The struggle was short and decisive. Wolfe was killed just as the French line gave way before the final British charge, and Montcalm was borne into the city mortally wounded. Four days later the garrison of Quebec surrendered and the English entered the city. The next year Montreal was captured by the English and the war in America came to an end.

The European war dragged on for many months. In 1762 England was forced by the conduct of Spain to declare war and Havana and Manila were both captured by British fleets. The final treaty of peace was signed at Paris, February 10, 1763.¹⁷⁶³ Bute, who shortly after the accession of George III had

Wolfe lands
above the
city

Both com-
manders
killed on the
Plains of
Abraham

The Treaty
of Paris,

succeeded Pitt, was too eager for peace and was severely criticized for dealing too liberally with France and Spain. England retained practically all of India, where the tide of war had turned in her favor at the battle of Plassey, won by the brilliant action of Clive in 1757. In the West Indies, England returned Guadeloupe and Martinique to France and Cuba to Spain, retaining, however, Tobago, Dominica, Granada, and St. Vincent.

On the continent England acquired Canada and all the French possessions east of the Mississippi River, save the island of Orleans on which the city of New Orleans stands. England also received Florida from Spain in exchange for the restoration of Cuba. Before the treaty was formally concluded Louis XV ceded the city of New Orleans and all of the province of Louisiana west of the Mississippi River to Spain as a compensation for her losses during the war. The division of North America by this treaty was very simple. France was excluded and the continent divided between England and Spain, the Mississippi constituting the boundary line.

The last act in the drama was the great Indian conspiracy formed by Pontiac, the chief of the Ottawas. France's former Indian allies on the upper lakes were not disposed to accept the terms of the Peace of Paris, and during the summer of 1763 most of the English frontier posts were attacked and the entire frontier terrorized by scalping parties. Virginia and Maryland were especially active in defending the frontier, but Pennsylvania refused to render any assistance. The Indian confederacy finally went to pieces, and in 1765 Pontiac came to terms. The Indians continued their efforts to keep the settlers from coming over the mountains and local fights were common, but there was no further trouble on a large scale until the eve of the Revolution.

The con-
spiracy of
Pontiac,
1763-1765

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PART II

THE AMERICAN REVOLUTION

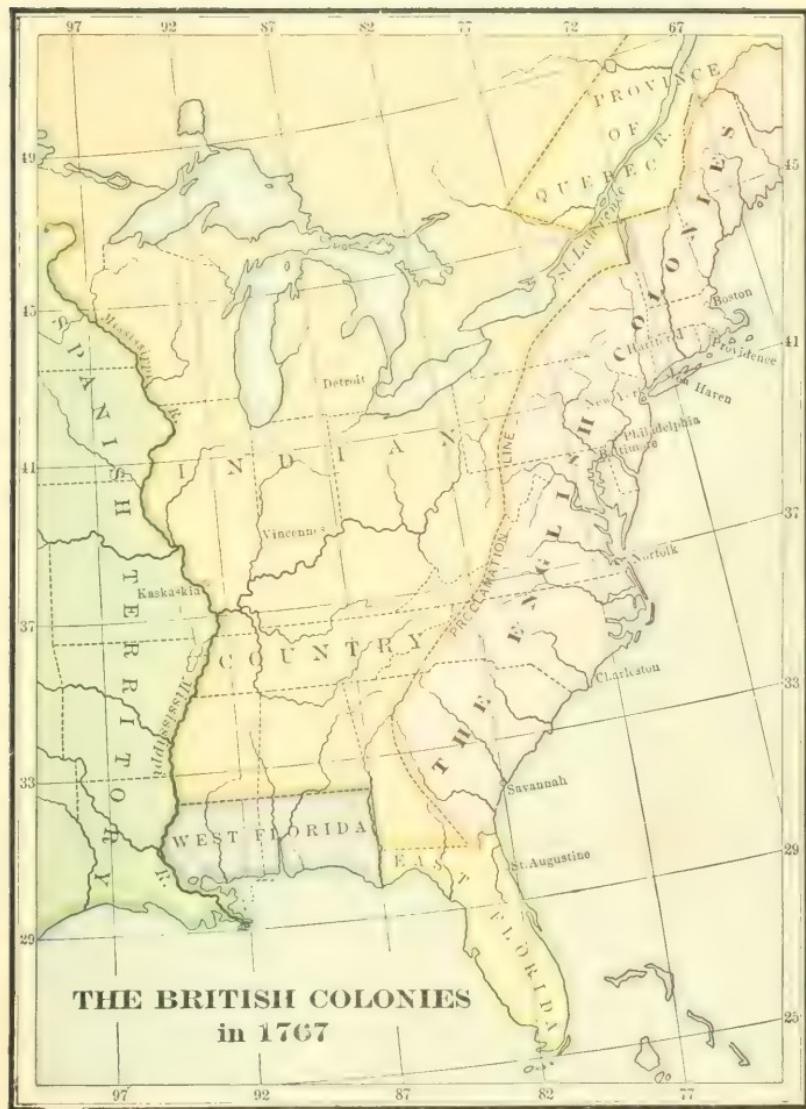
CHAPTER V

CAUSES OF THE AMERICAN REVOLUTION

THE American Revolution in the broader sense covers a period of twenty years, from 1763 to 1783. Twelve years of skillful debate, involving a broad discussion of constitutional questions and political theories, preceded the eight years of warfare. The French and Indian War revealed certain defects in the British colonial system which naturally suggested reform, and at the same time the conquest of Canada by removing the most serious danger that threatened the colonies from the outside broke one of the strongest ties that bound them to the mother country, and made their independence a political possibility. Furthermore the war had given the Americans military experience and the opportunity to test their fighting capacity beside the best British soldiers.

Results of the French and Indian War

The arrogance of the British officers and soldiers and the open contempt in which they held the colonial troops that had coöperated with them in the war had helped to bring the latter closer together and to make them aware of the differences between themselves and the English. Some idea of the lack of cordial feeling between the British regulars and the colonial volunteers may be formed from the expressions of the two noblest men engaged in the war. After



Braddock's defeat Washington wrote to Governor Dinwiddie: "The dastardly behavior of the English soldiers exposed all those who were inclined to do their duty to almost certain death." Wolfe, on the other hand, when he heard of the defeat of Abercromby at Ticonderoga wrote to Lord George Sackville: "The Americans are in general the dirtiest most contemptible cowardly dogs that you can conceive. There is no dependence upon 'em in action. They fall down dead in their own dirt and desert by battalions, officers and all. Such rascals as those are rather an encumbrance than any real strength to an army."

In view of these facts the close of the French and Indian War was an unfortunate time for undertaking a reform of the colonial system and attempting to tighten the reins of imperial control. Furthermore the government of England was not at this time in the hands of wise statesmen capable of successfully carrying through such a policy. In 1760 George III came to the throne. He had been poorly educated, was ignorant and narrow minded, and was bent on following the advice which his mother had repeatedly given him in his youth: "George, be a king." His one fixed purpose was to exalt the power of the crown at the expense of Parliament. When he came to the throne the government had been for half a century in the hands of a Whig oligarchy. In order to overthrow the Whig leaders George III built up a party known as the King's Friends. This party brought on the American Revolution and controlled the British government during the war. The ablest statesmen of the age, Chatham, Burke, and Fox, belonged to the opposition, and their efforts to bring about reconciliation with America were treated with scorn.

The Seven Years' War had left England supreme not only in America, but in India and on the high seas as well. Mainly through the genius of Pitt this magnificent empire

had been created, and the need for a more comprehensive and efficient system of imperial control had come to be felt.

Defects in the colonial system The war in America naturally suggested certain reforms. In the first place it showed that the old system of making requisitions on the several colonies for troops could not provide a sufficient force for their defense. Some of the colonies refused to provide for the levies at all, others promised to comply with the requisitions, but failed to send the full number, while none of them could be counted upon to send their full quotas into the field at the time appointed.

In the second place the French and Indian War showed that more stringent measures were necessary for the enforcement of the acts of trade. The Molasses Act of

Illicit trade with the French West Indies 1733 had never been rigidly enforced; in fact the prosperity of the northern colonies was, to a great extent, based on its violation. The British West Indies could not furnish an adequate supply of molasses for the manufacture of New England rum, which was extensively used in the fisheries and was absolutely indispensable in the Indian trade and in the slave trade. The New Englanders had therefore continued to buy molasses in the French West Indies. This illicit trade had been winked at by the British officials in time of peace, but its continuance in time of war neutralized to a large extent the work of the British navy.

This trade was continued partly by the connivance of colonial governors who issued commissions to vessels authorizing them to visit French colonies ostensibly for the purpose of exchanging prisoners, such vessels being popularly called "flags of truce." The greatest sinners in this matter were Rhode Island and Pennsylvania. The governor of the latter colony openly sold such passes for large sums of money. This trade not only helped the enemy directly, but it seriously interfered with military operations by

rendering provisions scarce and expensive. Such large quantities of foodstuffs were taken to the French West Indies, where they brought high prices, that provisions had to be brought from Europe to supply the needs of the British army in America. Amherst and other British commanders protested vigorously against this trade with the enemy and openly denounced it as disloyal. The attempt of the custom house officials in Boston to break it up led to the celebrated controversy over "writs of assistance."

Writs of assistance were general search warrants issued to customs officials to aid them in finding smuggled goods. These writs were first issued by the superior court of Massachusetts during the French and Indian War for the purpose of enabling the customs officers to break up the illicit trade with the French West Indies. James Otis resigned the office of advocate general because he believed the writs to be illegal and tyrannical, and he was employed by the merchants of Boston to contest their legality. In his famous speech before the court he denounced the writs as the worst instrument of arbitrary power and as contrary to the principles of civil liberty and of right. He boldly declared that the exercise of this kind of power had "cost one king of England his head, and another his throne." The case was decided against him and the writs continued to be issued, but his argument made a great impression on the people, and he was the popular idol of New England in the opening scenes of the Revolution.

The drift of public sentiment in Virginia was revealed by Patrick Henry's argument in the famous "Parson's Cause." In 1758, as a result of the failure of the crop and the high price of tobacco, the Assembly enacted that for one year all debts might be paid either in tobacco or in money at the rate of twopence a pound; hence the measure was known as the Twopenny Act. As the salaries of the clergy were paid in tobacco and as that com-

The
"Parson's
Cause"

mmodity was then selling at three times the rate fixed by the Assembly, the act seems to have hit the clergy harder than any other class of creditors, and they sent an agent to London to lay their case before the Board of Trade. On August 10, 1759, the act was disallowed by the king in council. Several of the clergy later brought suit to recover the full amount of their salaries in tobacco.



PATRICK HENRY.

The suit which attracted most attention was that of Reverend James Maury of Louisa County, in which Patrick Henry, then twenty-seven years of age, appeared for the vestry, which was the defendant in the case. In his argument before the jury he declared that the disallowance by the king of the act of 1758 was an instance of misrule and that "by this conduct the king, from being the father of his people, had degenerated into a tyrant and for-

feited all right to his subjects' obedience." At this point there was a subdued murmur of "Treason, treason," to which Henry paid no attention. He concluded with a severe arraignment of the clergy whose cause was by no means popular. The result was that the jury brought in a verdict of one penny damages for the plaintiff. Patrick Henry and the "Parson's Cause" were both ever afterwards famous. His speech made a profound impression and his attack on

the royal prerogative tended to bring to a focus the growing dissatisfaction over outside interference with the acts of the Assembly.

In April, 1763, George Grenville, who had just been appointed prime minister, announced the intention of keeping an army of 10,000 men in America and of taxing the colonies for its partial support. These troops were to be used to garrison the forts that had been taken from the French, to protect the frontier against the Indians, and to guard against foreign attack. There was also no doubt the more remote idea that these troops might be used in securing a more rigid enforcement of the acts of trade.

A new
colonial
policy an-
nounced

In pursuance of the new policy Parliament passed the Sugar Act of 1764 and the Stamp Act of 1765. The Sugar Act was a very comprehensive measure designed to raise a colonial revenue and to introduce administrative reforms into the old colonial system. The Molasses Act of 1733 had placed a duty of sixpence a gallon on molasses. This duty was prohibitory and, as has already been shown, the act had never been enforced. By the new act the duty on molasses was reduced to threepence. The old prohibitive duty had failed to produce a revenue, while the new duty did. High import duties were also imposed on wines brought to the colonies from the Madeiras and southern Europe. There were many other details of the act which need not be described, as the duty on molasses was the feature that aroused the principal opposition.

The Sugar
Act of 1764

The earlier acts of trade had not been primarily fiscal measures,—that is, their main purpose had not been to raise a revenue, but to regulate the commerce of the British empire. The act of 1764 was the first act whose main purpose was to tax the colonies and as such it marked a new departure in colonial policy and aroused opposition, but this opposition was confined to New England and the middle

colonies. The southern colonies were not materially affected by it. It was difficult to find a ground on which to assail the new measure, for, in outward form at least, it resembled other acts of Parliament the validity of which had never been seriously questioned.

The case was quite different, however, with the Stamp Act of 1765 which, by the imposition of internal as distinguished from external taxes, was new in form.
The Stamp Act of 1765 It required that every newspaper, pamphlet, bill, note, bond, lease, license, insurance policy, ship's clearance paper, college diploma, every instrument used in the conveyance of real and personal property, and all other legal documents should be written or printed on stamped vellum or paper to be sold by public officials.

While this measure was unfavorably received by the people it looked for some time as if there would be no organized opposition to it. James Otis, the leading spirit in New England, said : "It is the duty of all humbly and silently to acquiesce in all the decisions of the supreme legislature. Nine hundred and ninety-nine in a thousand of the colonists will never once entertain a thought but of submission to our sovereign and to the authority of Parliament in all possible contingencies. They undoubtedly have the right to levy internal taxes on the colonies." Hutchinson, the lieutenant governor of Massachusetts, wrote to the ministry : "The Stamp Act is received among us with as much decency as could be expected ; it leaves no room for evasion, and will execute itself." A majority of the governors wrote to the British ministry that the act would be enforced.

The first serious opposition came from Virginia. The Assembly met in May, 1765, and on the 29th the House of Burgesses took up a consideration of the new stamp duties. Patrick Henry, who had recently been elected to fill a vacancy and who had taken his seat only nine days before, offered a set of five resolu-

Patrick

Henry's

resolutions

tions, in which he asserted that the American colonists were entitled to all the privileges, liberties, and immunities possessed by the people of Great Britain; that the right of the people to tax themselves or to be taxed by persons chosen by themselves was the distinguishing characteristic of British freedom; and, finally, "that the general assembly of this



PATRICK HENRY ADDRESSING THE VIRGINIA HOUSE OF BURGESSES
in 1765 in support of his resolutions against the Stamp Act.

colony have the only and sole exclusive right and power to lay taxes and impositions upon the inhabitants of this colony, and that every attempt to vest such power in any person or persons whatsoever, other than the general assembly aforesaid, has a manifest tendency to destroy British as well as American freedom."

On the fifth resolution which embodied the words just quoted, an angry debate ensued and Patrick Henry delivered

a memorable speech, at the conclusion of which, after denouncing the tyranny of the Stamp Act, he exclaimed:

**The debate
on the reso-
lutions in
the Virginia
Assembly** “Cæsar had his Brutus, Charles the first his Cromwell, and George the third —” “Treason!” shouted the Speaker, and “Treason, treason,” echoed from every part of the house. Fixing his flashing eye firmly on the Speaker, Henry added, “may profit by their example. If this be treason, make the most of it.”

The vote on the resolutions is not recorded, but they were carried by the support of the members from the upper or western counties with the aid of six members from Mr. Henry’s immediate section of the state. “By these resolutions,” said Jefferson, “and his manner of supporting them, Mr. Henry took the lead out of the hands of those who had theretofore guided the proceedings of the house; that is to say, of Pendleton, Wythe, Bland and Randolph.” It was indeed a great personal triumph for Henry. He was the first leader to organize the men of the Piedmont section and of the Valley against the more aristocratic planters of Tidewater.

Henry’s resolutions, coming from Virginia, the oldest and most loyal of the colonies, created intense excitement.

**The effect of
Henry’s
resolutions** Many people who were utterly opposed to the Stamp Act thought that the resolutions went too far. Even James Otis pronounced them treasonable and Governor Hutchinson of Massachusetts declared that “nothing extravagant appeared in the papers till an account was received of the Virginia resolves.” Patrick Henry’s leadership in organizing resistance to British taxation was recognized on both sides of the Atlantic. Edmund Burke in his great speech on American taxation, April 19, 1774, declared on the floor of the House of Commons that the Virginia resolutions were the cause of the insurrections in Massachusetts and the other colonies.

* When the names of the stamp distributors were announced

in Boston serious riots occurred. A brother-in-law of Governor Hutchinson, who had accepted one of the appointments, was burned in effigy and forced to resign. In August a mob burned the records of the vice admiralty court at Boston, sacked the house of the collector of customs, and destroyed the private dwelling of Hutchinson. Similar outrages took place at Newport, Rhode Island, and popular indignation against those who had accepted the post of stamp distributors burst forth into acts of violence in most of the colonies. This form of opposition was carried on by irregular associations known as Sons of Liberty which sprang up in all parts of the colonies. Meanwhile at the suggestion of the Massachusetts Assembly, nine of the colonies had chosen delegates to meet in New York for the purpose of petitioning the crown for relief. By the time this congress met every stamp distributor on the continent had resigned his position and the act had been practically nullified.

The resolutions of the Stamp Act Congress which met in October were couched in loyal and respectful language, but they asserted for the colonists the full rights and liberties of natural-born subjects; they denied that taxes could be imposed on them except with their own consent or by their representatives; they claimed that as the colonies could not be represented in the House of Commons, no taxes could be constitutionally imposed on them except by their respective legislatures; that the duties imposed by several late acts of Parliament were burdensome and grievous; that, as the profits of the trade of the colonies ultimately centered in Great Britain to pay for the manufactures which they bought there, the colonists eventually contributed to all supplies granted to the crown; in conclusion, they petitioned the king and both houses of Parliament for the repeal of the Stamp Act and of the late acts for the restriction of American commerce.

Resolutions
of the Stamp
Act
Congress

These resolutions were read in the House of Commons and precipitated a short debate, but no action was taken.

Repeal of
the Stamp
Act, March,
1766

Meanwhile a crisis had come in the affairs of the British ministry over the Regency Bill, and the Marquis of Rockingham, leader of the old

Whig aristocracy, had been called upon to form a new ministry, July 10, 1765. It was some time before the new government seemed to realize that the Stamp Act had brought the colonies to the verge of rebellion.

Opposition to the measure was not confined to America. English merchants and manufacturers were suffering from the failure of the colonists to pay for the goods they had already bought and to give orders for more. Petitions for repeal were therefore coming in from the merchants of many of the cities and towns of England. George III seemed moreover to be greatly disturbed at the accounts of the riots in America, and in January, 1766, he laid the whole matter before Parliament. After one of the most memorable debates that ever took place in that body, the Stamp Act was finally repealed in March, 1766, and the Sugar Act was a little later modified by placing the very low duty of one penny a gallon on all molasses imported into the colonies. Along with the repeal of the Stamp Act was passed the so-called Declaratory Act, which asserted the unlimited right of Parliament to legislate for the colonies. The news of the repeal of the Stamp Act was received with great rejoicing in America, but the rejoicing was short-lived. Many persons were displeased at the Declaratory Act and some talked of united opposition. But the main trouble arose over the act of 1765 requiring the colonial assemblies to make provision for quartering the king's troops in America. The New York Assembly was the first to refuse compliance.

In July, 1766, the Rockingham ministry resigned and the Duke of Grafton became the nominal head of the gov-

ernment, but it was understood that Pitt was to be the real head. He, however, shortly entered the House of Lords as Earl of Chatham and the loss of popularity which this act entailed together with bad health prevented him from taking a very active part in the affairs of the ministry. Charles Townshend, Chancellor of the Exchequer, now became leader of the cabinet and greatly to the surprise of everybody introduced three measures relating to America which were passed in May, 1767: (1) the New York Assembly was suspended until it should comply with the quartering act; (2) a new board of Commissioners of Customs was established in America with full powers to enforce the acts of trade; (3) an import duty was laid on glass, red and white lead, paper, and tea. As so much emphasis had been laid by the opponents of the Stamp Act on the difference between external and internal taxes, Townshend thought that the Americans would have to submit to the new revenue law because it established only external taxes on imports.

The Townshend Acts of 1767

As a matter of fact there is no one consistent theory on which the action of the American colonies can be explained, for in each dispute with the home government they assumed a more advanced position. In the first stage of the controversy they denied the right of Parliament to impose internal taxes. In opposition to the Townshend Acts they denied the right of Parliament to impose external taxes as well, and raised the cry of no taxation without representation. As representation in the British Parliament was, in view of the circumstances, an impossibility, the natural and logical conclusion was that the crown was the only connecting link between the colonies and Great Britain.

Theoretical basis of the Revolution

In searching for a theoretical basis for the Revolution we are naturally led to inquire what was the nature of the law by which the powers of Great Britain over the colonies were

limited. Was it the British constitution which had been extended over the colonies? If so, by what acts was it extended over them and in what way did it protect them? Was it the colonial charters on which they relied? Some of these had been annulled and one of them at least, that of Pennsylvania, expressly recognized the supreme authority of Parliament.

Unable to find a basis in either the British constitution or the colonial charters on which they could rest their case, American lawyers,—for they were the real leaders of the Revolution,—took their stand, as the contest advanced, on the principle of natural law and the theory of natural rights. The declaration and resolves of the first Continental Congress, in 1774, rested the case on “the immutable laws of nature, the principles of the English constitution, and the several charters or compacts.” The Declaration of Independence two years later rested the case solely on “the laws of nature and of nature’s God.”

The earlier American historians looked at the Revolution as a struggle against tyranny embodied in the person of

Historical view of the Revolution George III. The most that can now be said in substantiation of this view is that the colonies “made their stand,” to use the words of Moses Coit Tyler, “not against tyranny inflicted, but only against tyranny anticipated.” America had reached the point at which its social and economic development was being hampered by the connection with Great Britain, and the political training that the colonists had received in their long struggle with the colonial governors and the political theories that were current in the latter half of the eighteenth century did not incline them to submit to what they considered injustice.

In June, 1768, John Hancock’s sloop, *Liberty*, entered Boston Harbor and undertook to land a cargo of wines from Madeira without paying the duty. When the customs

officials tried to seize the cargo, the crew resisted, and a riot was precipitated in the course of which the officials fled to the fort. When news of this riot reached England two additional regiments were ordered to Boston. When Parliament met in December they advised that an old statute of Henry VIII empowering the government to bring to England for trial prisoners accused of treason outside the kingdom should be put in force in America.

Additional
British
troops sent
to Boston,
1768

The first protest against this measure came from Virginia, where the Assembly adopted a series of resolutions protesting against the Townshend Acts and beseeching the king not to permit his American subjects to be carried over the sea for trial. These resolutions were sent to the assemblies of the several colonies and their concurrence was asked. Lord Botetourt, the new governor, immediately dissolved the Assembly, but the members retired to the Apollo room of the Raleigh Tavern, where they signed an agreement that they would not import any more goods from England until the Townshend Acts should be repealed. The Virginia resolutions or similar declarations were adopted by all the assemblies and nonimportation agreements signed.

In Boston meanwhile things were reasonably quiet considering the fact that troops were quartered in the city and that armed vessels were stationed in front of the harbor. The situation was a trying one, however, and the bitter feeling that existed between citizens and soldiers broke out frequently in minor affrays. Finally, on March 5, 1770, a serious encounter occurred on the streets of Boston in which three persons were killed, two mortally wounded, and six injured. Several months later the soldiers were tried and acquitted by a Boston jury. John Adams and Josiah Quincy appeared as their counsel. The citizens appear to have been more to blame than the soldiers in bringing on the "Boston massacre,"

"The
Boston
Massacre,"
March, 1770

but the real responsibility rested with the British ministry.

In January, 1770, the Duke of Grafton resigned the premiership and Lord North, the leader of the new Tory party, succeeded him. The king had at last succeeded in dividing the old Whig party, and the new Tory party, composed of the "king's friends," continued in control until the close of the Revolution. The king was in reality his own prime minister and carried out his own policies. On the very day of the Boston massacre Lord North moved a repeal of the Townshend Act, removing the duty on glass, paper, and lead, but retaining the duty on tea. The tax on tea was retained as a matter of principle in assertion of the right of parliamentary taxation. The government also announced that it would make no further attempt to raise a revenue in America, and the quartering act, which had been limited to three years, was allowed to expire. On learning of the repeal of the Townshend Act the Americans discontinued the nonimportation agreements, but associations were formed whose members pledged themselves not to drink tea.

For a time agitation ceased and comparative quiet reigned in America. In North Carolina disturbances of a serious

The North Carolina "Regulators" character, in no way connected with the dispute with England, occurred. The inhabitants of what were then the western counties complained of excessive taxes, extortionate fees, and corruption on the part of the colonial officials. Under the name of "Regulators" they undertook to manage their own affairs and refused to recognize the authority of the colonial government. In May, 1771, Governor Tryon went to the seat of disaffection and defeated the Regulators in the pitched battle of the Alamance, leaving a large number dead on the field. This battle has frequently been referred to as the first battle of the Revolution, but it has no claim to that dis-

tinction, for many of the men who commanded the militia under Governor Tryon were soon to be leaders in the Revolutionary movement.

At the beginning of the Revolution the frontier had advanced well into the Alleghany Mountains, but at only



DANIEL BOONE.

two points had settlers penetrated the wilderness beyond: in the southwest there was a little group of settlements in eastern Tennessee, and in the northwest traders and settlers were gradually pushing their way from Fort Pitt down the Ohio River. The first settlers in Tennessee came from Virginia and were mainly of Scotch-Irish antecedents. In the little valley between the Cumberland and

the Great Smoky mountains lie the streams which unite to form the Tennessee River,— the Clinch, the Holston, the Watauga, the Nolichucky, and the French Broad. The upper end of the valley lies in southwestern Virginia, and here on the headwaters of the Holston, the first settlement was formed by a body of Virginians.

A year or two later, in 1769, the year that Daniel Boone first went to Kentucky, the first settlement was formed on the Watauga, then within the limits of North Carolina. As the settlements were growing, it was necessary to provide some form of civil government, but as North Carolina was at this time engaged in the struggle with the Regulators,

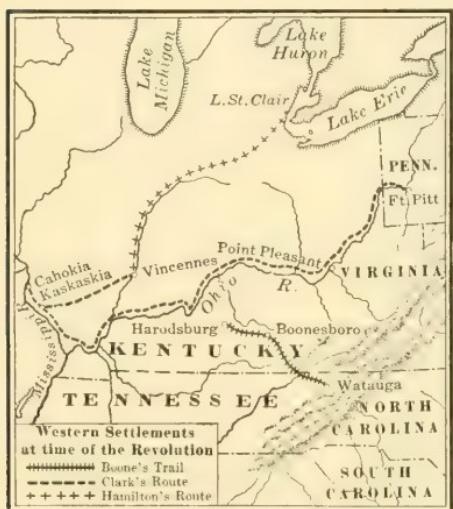
it was useless to appeal to her for aid in governing the new community. About this time two men of unusual ability, who were destined to figure in history as the founders of Tennessee, came to Watauga, James Robertson in 1770, and John Sevier in 1772. They were both natives of Virginia, and for the next thirty years they played the chief part in

the history of the southwest. In 1772 they organized a civil government under a written constitution known as the Articles of the Watauga Association, thus establishing the first independent community of native-born Americans on the continent. The Watauga Association continued as an independent community for four years, but in 1776, at its own

request, it was received under the jurisdiction of North Carolina.

On the very eve of the Revolution serious troubles occurred between the Indians and the English settlements along the upper waters of the Ohio. The feeling between the Indians and the "Long Knives," as they called the Virginians, was very tense when, in the spring of 1774, an outrage occurred which precipitated a border warfare. The most aggressive leaders among the whites were Michael Cresap, a native of Maryland, and a man named Greathouse. About the last of April, Greathouse, who was in the habit of selling rum to the Indians, and his associates murdered a party of men, women, and children who had come to his place and who were

Trouble
with the
Indians on
the Ohio



drunk with the liquor which he had sold them. Among the slain was the entire family of the celebrated Iroquoian chief Logan, who lived west of the Ohio and was a leader among the tribes dwelling along the upper courses of the river. Logan, who had usually been friendly to the whites, was moved to revenge, and the tribes immediately took the warpath, creating terror along the whole frontier.

Lord Dunmore, the governor of Virginia, immediately garrisoned the frontier forts and began raising an army to lead against the Indians. One wing he led in person to Fort Pitt, while the other, composed of levies from the western and southwestern

portions of the colony, was placed under the command of General Andrew Lewis. The latter was to collect his forces on the Greenbriar and proceed down the Kanawha to the Ohio, where it was agreed that Dunmore should meet him. When Dunmore got to Fort Pitt, however, he changed his plans, crossed the Ohio, and established himself in a fortified camp near the Indian town of Chillicothe. Cornstalk, the great chief of the Shawnees, who had under his command about a thousand warriors, now determined upon a bold piece of strategy. He de-

Lord Dun-
more's War,
1774



LORD DUNMORE.

ecided to intercept General Lewis at the mouth of the Kanawha, destroy his division, and then return to face Dunmore.

Meanwhile General Lewis, with troops from Augusta and Botetourt counties and from the distant Watauga settle-

ments, was proceeding down the Kanawha. On October 6, they camped on Point Pleasant, the point of land jutting

Battle of
Point
Pleasant,
October,
1774

out between the Kanawha and the Ohio, to await news of Dunmore. Four days later they were attacked before daylight by Cornstalk. The battle which followed was more hotly contested than any other Indian battle on record. The numbers engaged were about equal and they fought from early morning until nightfall. The Virginians lost seventy-five men killed and one hundred and forty wounded. The Indians sustained losses only about half as great, but they finally retired from the conflict sullen and crest-fallen.

After the battle Lewis crossed the Ohio and marched to join Dunmore. When he reached the camp he found that Dunmore had already made a treaty of peace with the Indian tribes. Logan alone refused to treat with him. To Lord Dunmore's messenger he delivered a speech which is considered the finest outburst of Indian eloquence recorded. It was soon evident, however, that Logan did not intend to continue hostilities and Dunmore marched home.

The Virginians who were with Andrew Lewis resented Lord Dunmore's change of plan which cost them so dearly,

Results of
Dunmore's
War

and they also objected to his haste in making peace with the Indians who they thought deserved greater punishment. Afterwards, in view of Lord Dunmore's harsh conduct at the beginning of the Revolution, the view became current that he had acted with treachery toward Andrew Lewis and that he had made easy terms with the Indians in order that they might continue their ravages against the western settlements and thus aid England in the coming struggle with her colonists; but such a view seems wholly untenable. However that may be, Lord Dunmore's War had most important results. It kept the Indians quiet during the early years of the Revolution and

gave the frontiersmen who were pushing over the Alleghanies an opportunity to become well settled in Kentucky.

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CHAPTER VI

THE ATTEMPT TO COERCE MASSACHUSETTS

WHILE the events narrated at the close of the last chapter were taking place along the western frontier, affairs were rapidly reaching a crisis in New England. The attempt to execute the revenue laws had led to serious trouble in Rhode Island. On June 9, 1772,

The burning of the Gaspee, 1772 the British armed sloop *Gaspee*, which had been particularly active in searching for smuggled goods, ran aground, and that night was boarded by an armed party from Providence, who seized the crew, bound and set them ashore, and burned the vessel to the water's edge. When news of this affair reached England, a commission was sent to America to hold an investigation, with authority to arrest the offenders and send them to England for trial.

In Massachusetts Samuel Adams was now the most active and influential leader. He was a man of great energy,

Samuel Adams proposes the appointment of local committees of correspondence, 1772 courage, and tenacity of purpose and had a remarkable talent for political organization. On November 2, 1772, he moved in the Boston town meeting "that a committee of correspondence be appointed to consist of twenty-one persons to state the rights of the colonists and of this province in particular, as men, as Christians, and as subjects;

to communicate and publish the same to the several towns and to the world as the sense of this town, with the infringements and violations thereof that have been, or from time to time may be made." Other Massachusetts towns followed the example of Boston and appointed similar committees.

The proposal for intercolonial committees of correspondence came from Virginia, and the step was taken as a result of the uneasiness created by the appointment of the *Gaspee* commission and a proposal to send Americans to England for trial. On March 12, 1773, on motion of Dabney Carr, the House of Burgesses appointed a standing committee for intercolonial correspondence. Among its members were Richard Bland, Dabney Carr, Patrick

Inter-colonial committees of correspondence proposed by the Virginia Assembly, 1773

Henry, Richard Henry Lee, and Thomas Jefferson. The committee was instructed to inform itself on the subject of the *Gaspee* commission, and the other colonial assemblies were requested to form similar committees of correspondence. Massachusetts, New Hampshire, Connecticut, Rhode Island, and South Carolina promptly complied with the request. The appointment of these committees laid the foundation for the union of the colonies.

In December, 1773, measures were taken by several of the Massachusetts towns to prevent the landing of tea and payment of duty. On December 16 a party of fifty or sixty men disguised as Mohawk Indians and directed by Samuel Adams boarded three ships in Boston Harbor, broke open the chests of tea, and threw the contents into the bay. Similar occurrences took place within a short time at other ports. At Philadelphia a mob collected to destroy a cargo of tea, but the captain of the ship sailed back to England. At Wilmington, North Carolina, a cargo of tea was thrown into the sea.

The Boston "Tea Party," 1773

At Charleston, South Carolina, the consignees, under the pressure of public opinion, refused to receive a large quantity of tea and it was seized by the collector and stored in cellars under the exchange. Three years later it was sold and the proceeds paid into the state treasury. At Annapolis, Maryland, more extreme action was taken. The *Peggy Stewart*, soon after her arrival with a cargo of tea, was boarded

by a mob and burned to the water's edge. The Boston "tea party" attracted most attention because the eyes of the ministry were fixed on Massachusetts.

When the British Parliament met in March, 1774, the ministry realized that they had a serious crisis to face.

The five coercive acts of 1774 They determined to repress the disorders in America and adopted five coercive measures:

(1) The port of Boston was closed and the custom-house moved to Salem. English warships were ordered

to be stationed before Boston for the purpose of maintaining the blockade.

(2) The Massachusetts government was reorganized so as to take away from the people many of the powers of self-government which they had hitherto exercised.

(3) Crown officers or magistrates accused of murder or other capital offenses were to be sent by the governor to some other colony or to England for trial, if he

thought that a fair trial



WILLIAM Pitt, Earl of Chatham. could not be had in the province. (4) The quartering of troops upon the inhabitants of the colonies was legalized. (5) The fifth statute was the so-called Quebec Act, by the terms of which the territory northwest of the Ohio River was annexed to the province of Quebec. These measures were carried through Parliament by a very large majority. Chatham in the House of Lords and Burke and Fox in the House of Commons spoke against them in

vain. Charles Fox's brother, Stephen, also spoke against the measures. He said: "We are either to treat the Americans as subjects or as rebels. If we treat them as subjects, the bill goes too far; if as rebels, it does not go far enough."

The Boston port bill was to go into effect June 1. This measure especially created general indignation throughout the colonies. The first action was taken by Virginia. On May 24, 1774, the House of Burgesses adopted a set of resolutions drafted by Thomas Jefferson, setting aside June 1 "as a day of fasting, humiliation, and prayer; devoutly to implore the divine interposition, for averting the heavy calamity which threatens destruction to our civil rights, and the evils of civil war; to give us one heart and one mind firmly to oppose, by all just and proper means, every injury to American rights; and that the mind of His Majesty and his Parliament may be inspired from above with wisdom, moderation, and justice, to remove from the loyal people of America all cause of danger from a continued pursuit of measures pregnant with their ruin." As a result of these resolutions Lord Dunmore dissolved the house, but the members met unofficially in the Raleigh Tavern and adopted a resolution recommending an annual congress of all the colonies.

The suggestion of Virginia met with a cordial response. Delegates to the Congress were selected in various ways. In Pennsylvania and Rhode Island they were chosen by the legislature; in Massachusetts by the lower house; in Connecticut by the committee of correspondence; in South Carolina by a public meeting of the inhabitants of the province held at Charleston; in New Hampshire, New Jersey, Delaware, Maryland, Virginia, and North Carolina by local conventions of town or county. New York was not fully

Members of
the Virginia
Assembly
propose a
general con-
gress, 1774

The first
Continental
Congress,
September
5, 1774

represented, and Georgia sent no delegates at all. When Massachusetts elected her delegates, June 17, she suggested that the Congress convene in Philadelphia on the first of September, thus completing the call issued by Virginia.

This body, which is known as the first Continental Congress, began its work in Carpenter's Hall, Philadelphia, September 5, 1774. Among the fifty-five delegates were many men destined to fame: John Adams and Samuel Adams from Massachusetts; Stephen Hopkins from Rhode Island; Roger Sherman and Silas Deane from Connecticut; James Duane and John Jay from New York; Joseph Gallo-way, John Dickinson, and Thomas Mifflin from Pennsylvania; Cæsar Rodney, George Read, and Thomas McKean from Delaware; Henry Middleton, Christopher Gadsden, and the two Rutledges from South Carolina; and from Virginia, Peyton Randolph, Richard Bland, Benjamin Harrison, Edmund Pendleton, Richard Henry Lee, Patrick Henry, and George Washington.

Peyton Randolph was elected president of the Congress and the sessions were held behind closed doors. No record

Measures adopted by the Congress of the proceedings was kept. On October 14 a series of resolutions was adopted, known as the Declaration and Resolves. In these resolutions

the grievances of the colonies were stated at length and their rights asserted. On October 20, the Congress adopted a nonimportation and nonexportation agreement as the most effectual means of securing a redress of grievances. They agreed that after the first of the following December they would not import any goods or merchandise from Great Britain or Ireland; nor would they export goods to Great Britain, Ireland, or the West Indies after September 10, 1775. They also agreed to discontinue entirely the slave trade. Besides these two important measures the Congress drew up a petition to the king, an address to the people of Great Britain, and a memorial to the

people of the colonies. They also issued an invitation to the people of Canada to send delegates to the Congress which was called for the following year.

Meanwhile all eyes were turned to Boston, which was occupied by British troops and blockaded by a British fleet. In October Washington said that independence was not "desired by any thinking man in all North America," but he regarded the attack on Massachusetts as an outrage and said:

The blockade of Boston

"I will raise one thousand men, subsist them at my own expense, and march myself at their head for the relief of Boston." At the beginning of the blockade General Gage had succeeded Hutchinson as governor and assumed personal command of the troops at Boston. In October the delegates elected to the assembly, disregarding his proclamation commanding the call for its meeting, met at Salem at the appointed time and resolved themselves into a provincial congress with John Hancock as president.

During January and February, 1775, American affairs occupied most of the time of Parliament. Chatham introduced his scheme for conciliation and Burke delivered his great speech. In March the restraining act was passed confining the trade of New England to Great Britain, Ireland,



WASHINGTON AS A VIRGINIA COLONEL.
From portrait by Peale painted in 1772.

and the British West Indies. Generals William Howe, Clinton, and Burgoyne were sent to reinforce Gage, while Lord Howe, the brother of the general, was put in command of the naval forces in America.

The situation around Boston was intolerable and a conflict inevitable. On the night of April 18, General Gage

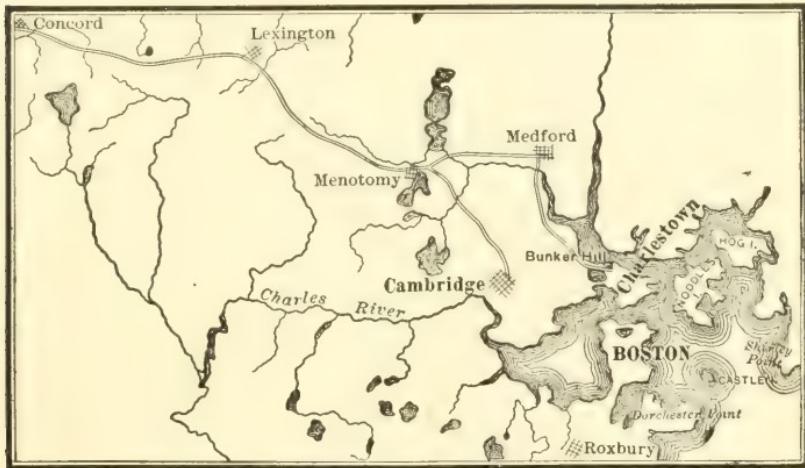
The battle of Lexington, April 19, 1775
sent a small force under Colonel Smith to destroy the military magazine at Concord, a village eighteen miles northwest of Boston. The secret object of the expedition leaked out, and Paul Revere made his famous ride to give the alarm. When the troops reached Lexington about daylight they found sixty or seventy minutemen under Captain Parker drawn up near the church. Major Pitcairn ordered the provincials to lay down their arms; they refused, and the regulars began firing, according to the American account, though Major Pitcairn to the day of his death insisted that the Americans fired first. Eight Americans were killed and ten others wounded.

The British continued their march to Concord, where they destroyed such stores as they could find, and started back to Boston. They found themselves, however, attacked on flank



STATUE OF MINUTEMAN AT CONCORD.

and rear by minutemen and farmers collected hastily from the surrounding country, who fired from behind trees, rocks, and fences. Colonel Smith's troops suffered greatly and would probably have been forced to surrender, had they not been met at Lexington by a strong force under Lord Percy, who had been sent to their relief. In spite of the fact that Percy had now 1800 men under his command, the Americans continued the attack until nightfall, when the British reached



BOSTON AND ITS ENVIRONS.

Charlestown. The Americans had lost about ninety men and the British three times as many.

The news of the fight at Lexington and Concord spread rapidly and in a short time the British army in Boston found itself besieged by an unorganized body of 20,000 patriots. Volunteers from the surrounding colonies soon joined them: New Hampshire men under John Stark, Connecticut men under Israel Putnam, and Rhode Island men under Nathanael Greene. There was not much discipline in this mass, but General Artemas Ward of Massachusetts was finally given the chief command. On June 17 was fought the battle of

Battle of
Bunker Hill,
June 17,
1775

Bunker Hill. As the town of Boston was commanded by the hilltops of Dorchester and Charlestown, General Gage determined as soon as the reënforcements under Howe, Clinton, and Burgoyne arrived to take possession of these points.

The patriots, however, forestalled him by sending a force under Colonel Prescott to seize Bunker Hill and Charlestown on the evening of June 16. The next morning the British ships in the harbor began cannonading the Americans, but the latter had so far intrenched themselves as to render an attack by land necessary. The British regulars regarded the provincials with contempt and charged directly up the hill, but were twice repulsed. The third charge was successful only because the powder of the Americans gave out. The latter retreated to the mainland by Charlestown neck.

The second Continental Congress met in Philadelphia, May 10, 1775. In the election of delegates to this Congress the Tories took little part, so the delegates were all men of pronounced patriotic views. This Congress was distinctly a revolutionary body. It was without any authority to raise an army or navy, to provide a revenue or to pass laws of any kind, but it proceeded to do all these things.

**The second
Continental
Congress,
May 10,
1775**

The action of this Congress was by no means unanimous. John Adams tells us that "every important step was opposed, and carried by bare majorities." John Dickinson of Pennsylvania, a Quaker by birth, was the leader of the conservatives. He had stood out boldly against oppression, but he hesitated to approve revolutionary measures. Peyton Randolph, president of the former Congress, was chosen to preside over this one also, but he was soon elected speaker of the Virginia Assembly and returned home to direct affairs in that colony. John Hancock of Massachusetts succeeded him as president.

On the very day that the Continental Congress met, Ethan Allen, of Connecticut, with a party of "Green Mountain Boys," surprised the garrison at Ticonderoga and called upon them to surrender "in the name of the great Jehovah and the Continental Congress." Benedict Arnold had started with a party from Massachusetts on the same mission, but when he overtook Allen he volunteered to serve under him. At the same time another Vermonter, Seth Warner, captured Crown Point. These forts not only commanded the approaches from Canada to the Hudson River, but they contained large stores of ammunition of which the Americans were in great need.

Capture of
Ticonderoga
and Crown
Point, May,
1775

The Continental Congress, having assumed responsibility for the army before Boston, proceeded on June 15 to appoint a commander-in-chief. At the suggestion of John Adams, Colonel George Washington, a member of Congress, was appointed to this position. There were two reasons which dictated this choice. In the first place, the selection of a Virginian would help to bind the South to New England's fortunes, and, in the second place, Washington had acquired a military reputation which no other American possessed. It was well known that John Hancock coveted the honor, while Charles Lee and Horatio Gates, former British army officers who had acquired estates in Virginia, were both candidates for the position. The four major generals appointed at this time were Ward of Massachusetts, Charles Lee, Schuyler of New York, and Putnam of Connecticut. Of the eight brigadier generals appointed at this time, six were from New England and two from New York. Gates was appointed adjutant general with the rank of brigadier.

Washington
assumes
command of
the army
before Bos-
ton, July 3,
1775

The reason for appointing so many New Englanders to high position was that the army before Boston was made up

of men from that section. Washington accepted his commission from the Congress in a modest but dignified speech in which he said that he would not accept any pay, but would keep an account of his expenses, for which Congress might

reimburse him later if they should see fit. On July 3 he arrived at Cambridge and took formal command of the army. Congress also made provision for raising troops in the other colonies. During the summer riflemen from Pennsylvania, Maryland, and Virginia joined the army before Boston, the

first to arrive being a company from the valley of Virginia commanded by Captain Daniel Morgan.

In November General Montgomery of New York led about fifteen hundred men by way of Lake Champlain against Canada and occupied Montreal, while Benedict Arnold led a force through the forests of Maine to join him in an attack on Quebec. The assault took place during a severe snowstorm, December 31, 1775; Montgomery was killed and the main attack abandoned. Arnold led the other attacking column and was severely wounded, but Morgan, who succeeded to the command, fought his way into the heart of the city only to be captured through the failure of the main attack. This disastrous expedition was badly planned and not supported by a sufficient force.

On the night of March 4, 1776, Washington seized and fortified Dorchester Heights, rendering the position of the British in Boston untenable. In less than two weeks Gen-

Unsuccess-
ful invasion
of Canada,
December,
1775



eral Howe evacuated the city and embarked his troops for Halifax.

The ten years' discussion preceding the outbreak of hostilities had led to the formation of opposing parties of Whigs and Tories. The crown officers were the backbone of the Tory party, but there was a large number of people in every colony who were conservatives by nature and remained loyal to the British government. It is impossible to determine the number of loyalists in any colony, but New York and Pennsylvania were almost evenly divided and there were many loyalists in Connecticut, New Jersey, Delaware, Maryland, South Carolina, and Georgia. John Adams estimated that about one third of the population of the colonies was at first opposed to the Revolution. New York alone furnished about fifteen thousand men to the British army and navy who were regularly enlisted, and about eight thousand militia.

Harsh treatment of Loyalists

The feeling between the loyalists and the patriots was exceedingly bitter, and many of the former were compelled to seek refuge in the British lines or to flee from their native land altogether. In the early days the Tories were left to the mercies of irresponsible mobs, but later on laws of a discriminatory character were directed against them. They were deprived of the right to vote, hold office, or serve on juries and, in some States, of the right to sue their debtors, or have recourse to law for any injury. As a final measure their property was confiscated and used in support of the Revolution. In a few cases they were tried for treason, but Washington and the other prominent leaders were opposed to this and most of those arrested were treated merely as prisoners of war. The number of executions was very small.

The people of the several colonies were meanwhile taking steps to organize State and local governments. When the

royal governors dissolved the assemblies, conventions were organized, in some cases at the call of the committees of correspondence, in others at the call of voluntary meetings of private citizens. On June 9, 1775, in reply to a letter from the Massachusetts convention, Congress advised the organization of a provisional government, and in October the same advice was given to New Hampshire and South Carolina.

During the summer and autumn of 1775, the southern colonies were drawn more deeply into the conflict through

Patrick Henry calls Virginia to arms clashes with the royal governors. The Virginia convention met for the second time March 20, 1775; this meeting was held in St. John's Church in Richmond. Patrick Henry moved "that this colony be immediately put in a state of defense," and, in support of his resolution, delivered that wonderful speech which has caused him to be classed with the great orators of the ages. In concluding this speech he said: "Gentlemen may cry peace, peace, but there is no peace. The war is actually begun. The next gale that sweeps from the north will bring to our ears the clash of resounding arms. Our brethren are already in the field. Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear or peace so sweet as to be purchased at the price of chains or slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!"

Lord Dunmore was so much alarmed that he caused the powder to be removed from the old magazine at Williamsburg. Patrick Henry at once raised a company of Hanover volunteers and marched against Williamsburg to recover the powder. As he advanced, volunteers from all directions joined him and the number of his troops is said by some to have reached five thousand. When he got within sixteen miles of Williamsburg, the governor in alarm sent Carter

Braxton with an offer to pay for the powder. To this Patrick Henry agreed, and having received and given a receipt for the £330 which he demanded, disbanded his troops.

On June 1, 1775, the Assembly met in response to a call issued by the governor for the purpose of considering Lord North's proposals; but, instead of taking up these, the House began to investigate the conduct of the governor. The governor then took refuge with his family aboard his Majesty's ship, the *Fowey*, then lying at York. Later he proclaimed the province in a state of war, offered freedom to the slaves, and ravaged the shores of Chesapeake Bay and the rivers with armed vessels.

Lord Dunmore harries
the coasts of
Virginia

On December 9, Lord Dunmore's force was defeated with considerable loss at Great Bridge on the south branch of the Elizabeth River about twelve miles from Norfolk. Lord Dunmore fell back to Norfolk, but thinking it more prudent to retire to his ships, he burned the city January 1, 1776. Colonel William Woodford of the Second Virginia Regiment had commanded the militia at the battle of Great Bridge, although Patrick Henry, who had raised and was colonel of the First Regiment, desired the command. As Henry had had no military experience the committee of safety had selected Woodford. Patrick Henry was so much chagrined by the action of the committee that he finally decided to abandon a military career.

In North Carolina the men of Mecklenburg County met on May 30, 1775, and adopted resolutions providing for the temporary management of local affairs. These resolutions were published at the time, but the original records of the meeting were later destroyed by fire. The so-called "Mecklenburg Declaration of Independence," which gained currency years afterwards, was written from memory and is not supported by contemporary evidence.

The Revolu-
tionary
movement
in North
Carolina

In August, 1775, Governor Martin followed the example of Dunmore and took refuge on a British man-of-war. Representing to the British government that the people of the central and western counties were still loyal, he urged that British troops be sent to coöperate with him. A force under Sir Henry Clinton accordingly left Boston in December bound for Cape Fear. Meanwhile the loyalists had collected a force of sixteen hundred men and started for the coast to meet the British, but on February 27, 1776, they were defeated by a patriot force at Moore's Creek, and nine hundred of them taken prisoners.

Sir Henry Clinton hovered about Cape Fear for some weeks, waiting for Sir Peter Parker, who was to coöperate with him, but by the time the latter arrived the patriots were so thoroughly aroused that the British abandoned their enterprise. They sailed, however, for Charleston, South Carolina, but Edward Rutledge, the head of the provisional government, had over six thousand militia ready to defend the city. On June 28, 1776, Parker's fleet bombarded the fort of palmetto logs which Colonel Moultrie had erected on Sullivan's Island, while Clinton tried to effect a landing. These unsuccessful attacks on the southern colonies had produced no other effect than to strengthen the patriot cause.

On May 15, 1776, the Virginia convention adopted a resolution directing its delegates in Congress to propose that the colonies declare themselves free and independent States. On June 7 Richard Henry Lee made the motion in Congress "that these united colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved." John Adams

The attack
on Charles-
ton, June,
1776

Virginia
delegates
instructed
to propose
independ-
ence

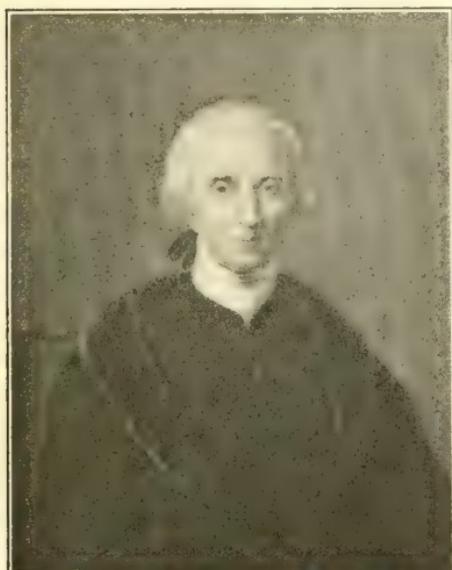
seconded the resolution, but it was violently opposed by Dickinson and Wilson of Pennsylvania. Moreover, several of the States had not authorized their delegates to act on this question. For the sake of harmony, therefore, a vote on the resolution was postponed for three weeks; but a committee consisting of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston

was appointed to prepare a declaration. This committee reported on the twenty-eighth.

On July 2 Richard Henry Lee's resolution was adopted,

The Declaration of Independence, July 4, 1776

and on July 4, the Declaration of Independence was agreed to. The document was drafted by Jefferson and only slightly modified by the committee. New York's delegates were excused from voting on the declaration as they had not



CHARLES CARROLL OF CARROLLTON, last surviving signer of the Declaration of Independence.

received the necessary instructions. In fact the attitude of that province had been in great doubt. Some of the most influential families were Tories and the colony was exposed to attack both from Canada and from the sea. In March the Continental Congress had ordered that all disaffected persons be disarmed. This greatly strengthened the Whigs and produced such a reaction in the New York provincial congress, that on July 9 that body adopted the Declaration of Independence.

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CHAPTER VII

THE ATTACK ON THE CENTER

THREE weeks after the British evacuation of Boston Washington left Cambridge for New York, where he arrived April 13, 1776. The strength of the Tories in the city caused him no little alarm and he correctly concluded that this would be the next point of British attack. Having failed in the attempt to coerce New England, the British ministry now had two courses open to them: one was to carry on a naval war entirely, blockade the coast, cut off all trade and intercourse with the outside world, and thus bring the colonies to terms; the other, which was the one adopted, was to conquer the country by military force. The leading military men in England objected to this plan from the first and considered it hopeless, but the ministry persisted in their determination to whip the colonies into obedience. The plan of campaign was to occupy New York City and the line of the Hudson River and thus cut New England off from the support of the middle and southern colonies.

The scene of
war shifted
to the
Hudson,
1776

The effort of the ministry to recruit an army in England did not meet with much enthusiasm and it was soon evident that foreign troops would have to be hired. These were finally procured from half a dozen petty German princes who were in the habit of hiring out their subjects to pay their debts. Nearly 30,000 soldiers were procured from this source, 12,000 of them being furnished by the Landgrave of Hesse-Cassel. Hence the German troops were usually spoken of in America as Hes-

Hessian
troops sent
to America

sians. Over a third of them never returned to their native land. Some were killed, but most of those who were captured settled down quietly after the war and became American citizens.

General Howe embarked his troops at Halifax June 7, and arrived off Sandy Hook three weeks later. His brother,

Plan of campaign Lord Howe, arrived from England a few days later in command of a naval force, and with terms of conciliation which he was to offer the Americans. As his flagship approached the American coast he heard the fire of guns celebrating the adoption by Congress of the Declaration of Independence. He sent a letter to "George Washington, Esq." which the latter refused to receive because his proper title was not recognized. A few weeks later he had a conference with three commissioners appointed by Congress, John Adams, Rutledge, and Franklin, but negotiations looking to peace were now utterly futile.

In August operations against New York City were begun. The plan was for General Howe to seize New York and get control of the lower Hudson, while General Carleton was to come down from Canada, recapture Ticonderoga, and seize the line of the upper Hudson. General Howe had with him about 25,000 British and Hessian soldiers, while Washington had only 18,000 badly organized and poorly equipped men. Howe also had a strong naval force to assist him, while Washington had no means of controlling the waters about the city. The American forces were distributed in New York, on Long Island, and in the forts along the Hudson. General Putnam, with 9000 men, was intrenched on Brooklyn Heights, and as this point commanded New York City, it was selected as the first point of attack by the British.

In the battle of Long Island, August 27, 1776, the British advanced in three columns. One column attacked the American right commanded by William Alexander of New

Jersey, commonly known as Lord Stirling; another column attacked the American left commanded by General Sullivan; while about half the army commanded by General Howe in person, and accompanied by Clinton, Percy, and Cornwallis, made a long circuit around the American left by way of the Jamaica Road and assaulted Sullivan on the flank and rear.

Battle of
Long Island,
August 27,
1776

After the rout of Sullivan, Stirling had a desperate fight to prevent his whole command from being captured. He himself was taken prisoner, but his command succeeded in fighting its way back to the works held by Putnam. In this struggle Smallwood's Maryland brigade did valiant service and won the honors of the day. After the battle Washington reënforced the garrison at Brooklyn Heights, expecting that it would be stormed by Howe; but as the latter seemed to be settling down to a regular siege, and as there was great danger that the British ships might at any time come up into East River and cut off his retreat, he decided to withdraw. On August 29, under Washington's personal direction the retreat to New York was successfully accomplished.

With the British army holding Brooklyn Heights and the navy in both rivers, New York could not long be held by the Americans. In fact certain military critics have censured Washington severely for making any attempt to hold either Brooklyn or New York, but they overlook the fact that he was conducting a political as well as a military campaign, and that he could not afford to give up New York without a fight. On September 15 Howe crossed over from Brooklyn, landing at Kip's Bay, and threw a line across Manhattan Island about where Thirty-fourth Street now runs. Washington had already withdrawn most of his troops to Harlem Heights, but Putnam, who had been left in New York with 4000 men, barely had time to escape.

New York
City oc-
cupied by
the British,
September
15, 1776

On the sixteenth, the British attacked the American lines at Harlem Heights, but the attack was repulsed with the loss of 60 Americans and 300 British.

On the twelfth of October, General Howe took the greater part of his army up East River nine miles to Throg's Neck, intending to get in Washington's rear. But Washington quickly concentrated his whole army at White Plains, abandoning everything on Manhattan Island except Fort Washington. Howe was thus completely baffled, but on October 28 he stormed an outpost with the loss of 229 men, while the Americans lost only 140. This affair is sometimes spoken of as the battle of White Plains. Three days later Washington retired to North Castle, where he took up such a strong position that Howe gave up all idea of attacking him. The British occupation of New York continued until the close of the war in 1783. The Tories at last had a place of refuge and they came hither in large numbers not only from New York but from the other colonies.

Carleton, who was to advance from Canada, had not met with much success. After the defeat of the Americans at

**Carleton's
advance
checked by
Arnold** Quebec, Arnold had conducted the retreat, contesting every step of the way. In order to prevent Carleton from gaining control of Lake Champlain, he cut the timber from the forest,

constructed a fleet of sixteen vessels, and took his stand at Valcour's Island. When Carleton forced him from his position after several hours of desperate fighting on October 11, Arnold retired to Crown Point, where he was overtaken before landing and another fight occurred. He managed to land his men, however, and marched through the woods to Ticonderoga. When Carleton arrived before that fortress, he thought that it was too strong to be taken and, as the season was growing late, he retired to Canada, greatly to the surprise of both friend and foe.

When Washington withdrew from Harlem Heights he

left, as we have already seen, a garrison at Fort Washington. There was also a garrison in Fort Lee, directly across the river in New Jersey. The disposition of his other forces was as follows: General Charles Lee was in command at North Castle, with 7000 men; General Putnam was sent over to the Jersey side with 5000 men and stationed at Hackensack; while General Heath was stationed with 3000 at Peekskill with instructions to strongly fortify West Point.

Fort Wash-
ington taken
by the
British,
Nov. 16,
1776

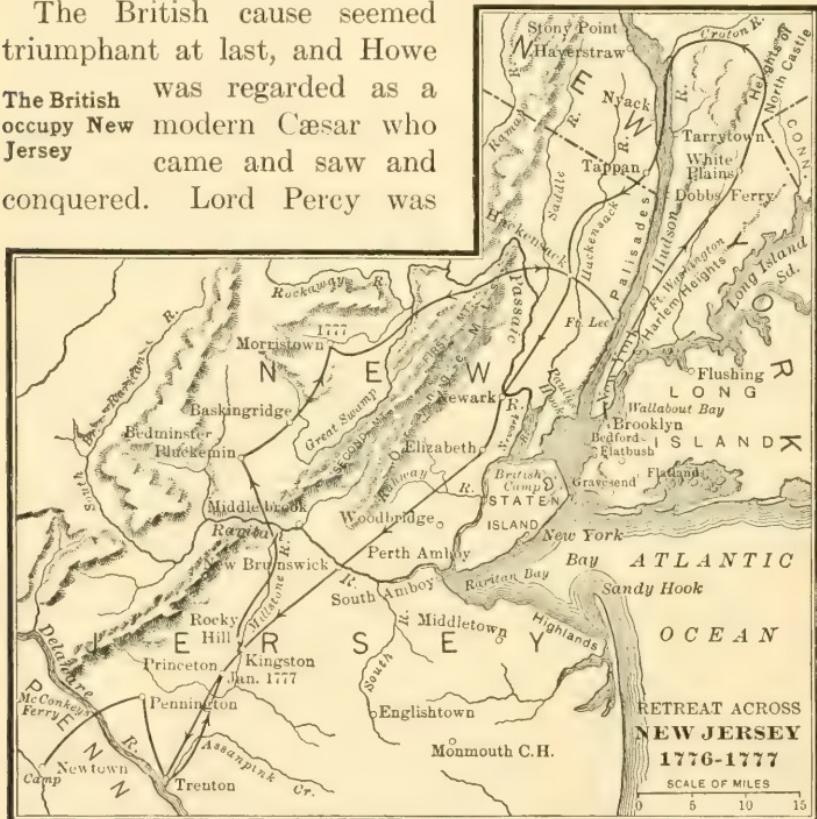
The British navy now succeeded in passing Forts Washington and Lee, and there was no longer any use in attempting to hold them. Washington left instructions with Greene to abandon them when it should be deemed advisable, and went up the river to superintend the fortifications at West Point. Greene, however, received instructions from Congress not to abandon Fort Washington except under the direst necessity. He therefore strengthened the garrison. On November 16 Howe took the fort by storm, capturing 3000 of the best troops in the American army. Washington had returned to Fort Lee and was an eyewitness of the engagement. He immediately ordered General Lee to bring his troops over to the Jersey side, but Lee ignored the order and when Howe crossed the Hudson, Greene had to evacuate Fort Lee.

Washington now retired to Newark, urging Lee to follow with all haste. Lee's conduct at this time was outrageous, but there were many men in Congress who considered him a great military genius, and Washington had to put up with him. Lee deliberately held aloof, hoping that the retreat would discredit Washington and that he would be appointed to succeed him. Meanwhile, through the expirations of enlistments and through desertions, Washington's army was dwindling away, and when he crossed the Delaware near Trenton on December 8, he had left only 3000 men.

Washington
retires
across the
Delaware,
Dec. 8, 1776

Lee finally crossed the Hudson with the idea of making a successful attack on Howe and winning the honors of the campaign, but fortunately for the American cause he was captured by a party of British dragoons at his headquarters near Morristown, December 13.

The British cause seemed triumphant at last, and Howe was regarded as a modern Caesar who came and saw and conquered. Lord Percy was



sent to seize Newport, Rhode Island, and that important seaport remained in the hands of the British until 1779. The British army now controlled the entire state of New Jersey, and Lord Howe issued broadsides to the people inviting them to take the oath of allegiance. Nearly 3000 accepted the invitation in New Jersey alone. The Tory sentiment was rampant in Philadelphia also and the mem-

bers of Congress fled in a panic to Baltimore. "These are the times that try men's souls," wrote Tom Paine in "The Crisis," the first of the series of pamphlets which he issued in support of the patriot cause. "The Crisis" came from the press December 19, when things were at the lowest ebb. It was widely read by the soldiers and reinspired them with enthusiasm for the cause.

The first year of the war was fought mainly in New England by New England militia, who were enlisted to serve until December, 1775, when twenty-six new regiments were raised to serve for one year. When the seat of the war was transferred to the Hudson, many of the New England troops accompanied Washington and served during a part of the campaign, but very few of them would consent to reënlist when their terms expired. Washington was reduced to great straits, and appealed to Congress and the States for troops to take their place. With the time for the departure of the New England troops only one week off, Washington sent this appeal to the president of Congress, December 24, 1776: "By the departure of these regiments, I shall be left with five from Virginia, Smallwood's from Maryland, a small part of Rawlin's (Maryland and Virginia Rifles), Hand's from Pennsylvania, part of Ward's from Connecticut, and a German battalion, amounting in the whole at this time from fourteen to fifteen hundred effective men." During the next two years the Virginia Continentals formed the backbone of Washington's army. In the battles of Trenton, Princeton, Brandywine, Germantown, and Monmouth, Virginia troops bore the brunt of the fighting.

Unless some bold stroke could be made at once Washington saw that the cause was hopeless. On Christmas night he crossed the Delaware amid floating ice, in a blinding storm, with about 2500 men, and in the early morning of the 26th fell upon the British center at Trenton held by a

Washington
appeals for
troops

body of Hessians under Colonel Rahl. They were completely surprised and driven pell-mell through the streets.

The Battle
of Trenton,
Dec. 26,
1776

Their commanding officer was killed and over 1000 were taken prisoners. Washington immediately recrossed the Delaware into Pennsylvania. The army was so much encouraged by the success of this bold stroke that many of those whose time was about to expire agreed to reënlist for six weeks. A large force of Pennsylvania militia also joined him, and, on December 29, he again crossed the Delaware and occupied Trenton.

Cornwallis was immediately sent from New York to take charge of operations in New Jersey. On January 2, 1777,

Cornwallis attempts to capture Washington he advanced from Princeton upon Trenton with 8000 men. Washington meanwhile had withdrawn his force across the Assunpink, a small river which flows into the Delaware just south of Trenton. Cornwallis ordered 2000 men to advance from Princeton the next morning. His plan was to force the passage of the Assunpink above the American position and force Washington back against the Delaware. As he retired for the night in high spirits Cornwallis said: "At last we have run down the old fox and we will bag him in the morning."

But Washington was not lacking in either boldness or audacity and he formed a plan which took Cornwallis completely by surprise. He knew that Cornwallis

Battle of Princeton, Jan. 3, 1777 had left detachments at Princeton and at New Brunswick to guard the stores. He determined to overwhelm one or both of these and thus compel Cornwallis to retire toward New York. The Americans kept their camp fires burning brightly all night and small parties were kept busy with pick and spade throwing up intrenchments so as to deceive the British. Meanwhile the American army marched up the stream, crossed, and passing

around Cornwallis's left wing, took the road for Princeton. As they approached the town, about sunrise, they met the British detachment starting out for Trenton. The Americans attacked with vigor and a sharp fight ensued. General Hugh Mercer who, with his Virginia brigade, had led the attack was mortally wounded by the bayonets of the enemy, and his men began to fall back. Washington, however, galloped up in time to rally the troops and in less than twenty minutes from the time the fight began the British were completely routed.

When Cornwallis arose in the morning he was amazed to see the American camp deserted and perplexed to know what had become of Washington, but the booming of the guns in his rear soon enlightened him. ^{New Jersey} ~~reclaimed~~ He decided at once to retire to New Brunswick. Washington was several hours ahead of him on the same road and took care that all bridges were destroyed so as to delay the progress of Cornwallis. As Washington could not risk a general engagement he decided not to go by New Brunswick for the purpose of seizing the stores, but marched straight northward to the heights of Morristown. Cornwallis retired to New Brunswick and eventually to New York. By these brilliant maneuvers practically the whole of New Jersey had been reclaimed and the British had lost the entire fruits of their summer campaign. Washington went into winter quarters at Morristown.

The campaign of 1777 opened with the British holding New York, while Washington had his main force at Morristown. The British ministry, counting on the aid of the New York Tories, had determined to make another attempt to occupy the line of the Hudson. Three concerted movements were planned. General Burgoyne was to lead an army from Canada against Ticonderoga and, after the capture of this fort, to advance down the Hudson to Albany. ^{British plan of campaign; advance of Burgoyne. 1777}

Colonel St. Leger was to take a smaller force up the St. Lawrence to Oswego on Lake Ontario and then attack Fort Stanwix with the aid of Tories and Indians, and finally march down the Mohawk to meet Burgoyne at Albany. General Howe was to advance from New York up the Hudson to Albany.

Burgoyne advanced from Canada with an army of 8000 men and on July 1 appeared before Fort Ticonderoga, which was garrisoned with 3000 men under General St. Clair. Less than a mile south of Ticonderoga a crag known as Mt. Defiance juts out into the lake. St. Clair had failed to fortify this point, which the British now seized and mounted with cannon. Ticonderoga was no longer tenable and St. Clair withdrew during the night to Fort Edward, where the main division was stationed under command of General Schuyler.

As Burgoyne approached Fort Edward the latter part of July, Schuyler evacuated that post, crossed to the west side of the Hudson, and retired down the river Bennington, to Stillwater. Burgoyne's advance was beset August 16, with many difficulties. The Americans removed all cattle and supplies out of the way, and, as his supplies were failing, he undertook to seize the American stores at Bennington. To accomplish this task Colonel Baum was sent out with a strong detachment of Germans, Indians, and loyalists; but on August 15 he was met by a force of New England volunteers under the command of John Stark. A heavy rain delayed the attack that day, but on the 16th the British were attacked and compelled to surrender. A reënforcement of 500 Germans came very near turning the tide in favor of the British, but Colonel Seth Warner arrived with his regiment in time to save the day. The battle of Bennington proved a disaster to Burgoyne, for it raised the spirits of the New Englanders and many new recruits now joined Schuyler.

Meanwhile the second invading column led by St. Leger had fared still worse. He landed at Oswego about the middle of July and arrived before Fort Stanwix August 3, his forces having been increased by bands of Tories and a party of Iroquois Indians under Joseph Brant, the great Mohawk chief. General Herkimer, with a party of German settlers in the neighborhood, advanced to the relief of the garrison, sending ahead messengers to the commanding officer, Colonel Gansevoort, arranging for a concerted attack on St. Leger.

St. Leger
driven back
to Canada,
August,
1777

While advancing through a narrow ravine near Oriskany, August 6, the Americans were ambushed by a party of Tories and Mohawks, but after a desperate hand to hand fight in which Herkimer received a wound that proved fatal, he succeeded with the help of a relief party from the fort in beating off his assailants. St. Leger continued the siege of Fort Stanwix, but Benedict Arnold was now advancing up the Mohawk with a force of 1200 men, and as he approached St. Leger's motley array of troops became panic-stricken and abandoned the siege August 22. St. Leger, with what troops he could hold together, retreated to Oswego, and from that point returned to Montreal.

From Fort Stanwix Arnold hastened back to rejoin Schuyler whose army had been reënforced by New England militia and by 500 picked riflemen under Colonel Daniel Morgan whom Washington had detached from the southern army. Burgoyne's force, which amounted to only 5000, was greatly outnumbered by the Americans, and he was greatly discouraged by the failure of St. Leger to execute his part of the plan. Still, St. Leger's coöperation was not absolutely essential to the main campaign, the object of which was to occupy the line of the Hudson. Had General Howe successfully carried out his part of the plan and now advanced up the Hudson to meet Burgoyne, the British might yet have been successful.

Burgoyne's
position
critical

But at the critical moment General Howe was engaged in carrying out a design of his own. As Washington was preparing to oppose his advance up the Hudson at Peekskill, Howe thought that the situation was favorable for an attack on Philadelphia. He therefore decided to seize the American capital before moving north to coöperate with Burgoyne.

Howe's movement against Philadelphia, July—September, 1777

This plan was strongly indorsed by General Charles Lee, who was still nominally a prisoner in New York, but who in reality had turned traitor to the American cause in order to save his own head.

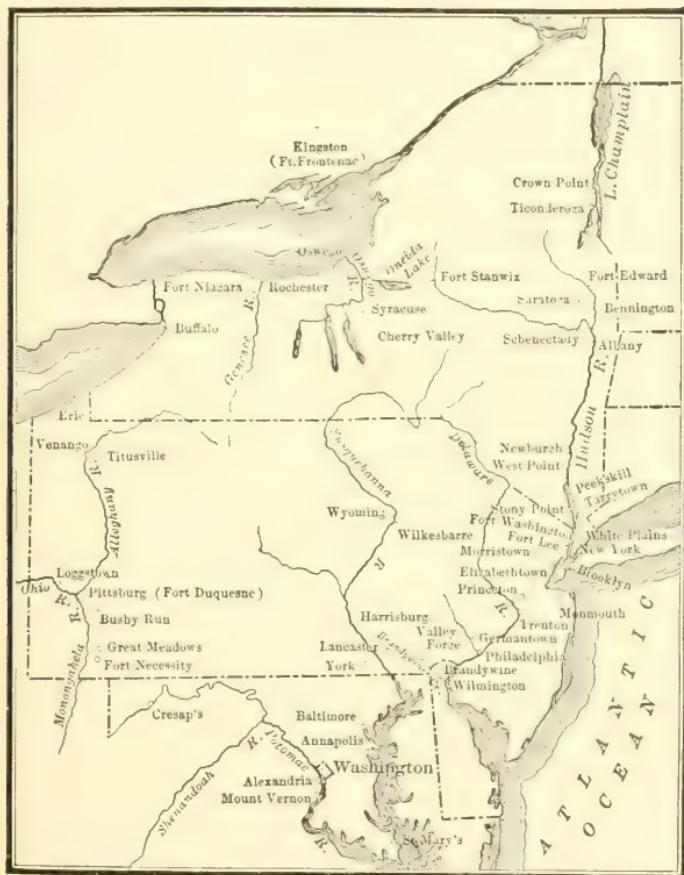
As soon as Washington learned of this proposed movement, he moved his army from Morristown down to Middlebrook, expecting Howe to go by land. In view of this move Howe was tempted to change his plan in the hope of bringing on a general engagement with Washington. After maneuvering unsuccessfully for three weeks, he finally put his troops aboard the transports early in July, but was further delayed by waiting to get news from Burgoyne and then by bad weather, so that his fleet did not get under way until July 23.

Howe had intended to disembark his troops on the Delaware, but the naval officers were for some reason opposed to this and urged him to sail up the Chesapeake and land at Elkton, Maryland. Nearly another month was wasted in this movement and Washington was greatly puzzled for a while, but when he finally learned that Howe was advancing up the Chesapeake, he moved southward to meet him and wrote letters urging the New Englanders to turn out and crush Burgoyne.

Battle of the Brandywine, September 11, 1777

When Howe landed at Elkton, Washington determined to make a stand on the Brandywine, which ran directly across Howe's line of march to Philadelphia. Washington placed his center behind Chadd's Ford. The passage of the stream was

covered by a corps of artillery under Wayne, while Greene's division was stationed on high ground in the rear as a reserve. The steep cliffs below Chadd's Ford were guarded by Pennsylvania militia. Washington's right wing, extend-



THE MIDDLE ATLANTIC STATES.

ing two miles up the river and covering several fording places, was commanded by Sullivan.

On the morning of September 11, the right wing of the British army commanded by Knyphausen attacked the American center at Chadd's Ford, while the left wing under

command of Cornwallis marched up the Lancaster road, crossed the Brandywine some distance above the extension of Sullivan's lines, and marched around with the intention of taking him in the rear. Cornwallis had marched eighteen miles and was well in Sullivan's rear before his movement was fully understood by Washington. The latter at once ordered Sullivan to change front, but the movement was badly executed and his division was gradually forced back. Cornwallis was rapidly forcing his way between the defeated division of Sullivan and the American center at Chadd's Ford, when Washington, realizing the danger, hastened to the rescue with Greene's division. With the center thus weakened, Knyphausen began his advance across Chadd's Ford and, after obstinate resistance, Wayne retired before him and the entire American army retreated to Chester.

This battle was admirably fought on both sides, and the American defeat was by no means the rout that has been sometimes described. Washington's troops maintained their organization and were strong enough to delay Howe's entrance into Philadelphia for two weeks.

The British army entered Philadelphia, September 25, the greater part of it going into camp at Germantown.

Battle of Germantown, October 4, 1777 Here they were attacked by Washington, October 4, 1777. The attack was well planned, and the British were retiring before Sullivan's advancing column, when an unfortunate accident occurred.

The battle was fought in a dense fog, and, as General Stephen's division came into action, they mistook Wayne's men for the British and fired into their rear. Wayne's men were thrown into confusion on the left flank of Sullivan's division, and the panic spread through the whole army when victory was really within its grasp. Discipline was soon restored and the Americans withdrew in good order.

Adam Stephen, the only Virginian who was honored with the rank of major general during the war, with the exception of Gates and Charles Lee, who had acquired estates in Virginia, had seen valiant service in the Indian wars and was undoubtedly a soldier of ability. As a result of his error at the battle of Germantown, he was court-martialed and dismissed from the service on the charge of drunkenness.

General Schuyler, who was in command of the northern army, was not popular with the New Englanders, mainly because he had espoused New York's claims to Vermont. His enemies in Congress finally succeeded in securing his removal and on August 4 General Gates was appointed to succeed him. General Burgoyne was now greatly harassed by the Green Mountain militia, and, since there was little chance of Howe's carrying out his part of the plan, he should undoubtedly have retired to Fort Edward where he could have kept open his communications with Canada.

First battle
of Free-
man's Farm,
Sept. 19.
1777

But the orders of the British ministry, three thousand miles away, were to advance to Albany and he felt that he had no discretion in the matter. On September 13 he crossed to the west bank of the Hudson and retreat was now impossible. The American army meanwhile took a strong position on Bemis Heights. On September 19, Burgoyne prepared to assail this position. With Dearborn's infantry and Morgan's riflemen Arnold advanced to Freeman's Farm, anticipating the British attack and checking their advance. He had with him only 3000 men, while Gates remained intrenched on Bemis Heights with 11,000. Had Arnold been reënforced at the right moment, he could have won a brilliant victory. Although defeated he completely disconcerted the British plans and delayed further attack for eighteen days.

On October 7 occurred the second battle at Freeman's Farm. Burgoyne again began the movement by advancing

against the American left. As the British moved forward, Morgan with his riflemen attacked their right flank, while a strong force assailed them in front. The whole line was broken and the British undertook to form on another line farther back. Arnold was quick to seize the opportunity and fell upon them before they could form their line. As the British gave way Gates sent forward the rest of his troops, his whole army now numbering 20,000, and the British were overwhelmed.

Burgoyne retreated up the river to Saratoga, and on October 17 surrendered his entire force. By the terms of

Surrender of Burgoyne at Saratoga, Oct. 17, 1777 the "Convention" of Saratoga, as the surrender was called, it was agreed that the British should march out of camp with the honors of war, stack their arms, march to Boston under a guard and

there take ship for England under promise not to serve again during the American war. The terms of the convention were not favorably received by Congress and aroused much discussion. While the agreement was not expressly repudiated, its fulfillment met with so much objection and delay that the British troops were never permitted to return to England. They were kept in camps at various points as prisoners of war until the close of the Revolution, when most of them made America their permanent home.

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CHAPTER VIII

THE FRENCH ALLIANCE

IN the fall of 1775 the Continental Congress had appointed a "Secret Committee on Foreign Correspondence," and six months later Silas Deane, a member of Congress from Connecticut, was sent to France as the first American diplomatic agent. Although he went under the name of Jones and the disguise of a West Indian merchant, British spies discovered his identity almost as soon as he arrived at Paris, and the British minister demanded his expulsion from France. Deane was soon granted a private interview by Louis XVI's foreign minister, the Comte de Vergennes, but most of his negotiations with the French government were carried on through Beaumarchais, an interesting adventurer who had great influence at court and who is known in literature as the author of *Le Barbier de Séville* and *Le Mariage de Figaro*. In October, 1776, Deane procured through Beaumarchais clothing for 20,000 men, 30,000 muskets, and large quantities of powder, shot, and cannon. Shipments to America were made by Beaumarchais through the agency of a new mercantile house with the fictitious name of "Hortalez et Cie."

In March, 1777, the Marquis de Lafayette sailed for America to aid the patriot cause. The French government was interested in the Revolution mainly through hostility to England, but Lafayette and many other Frenchmen who volunteered their services at this time were moved by their admiration of the political ideals of the Americans, who seemed to be bringing to pass and putting into practice the philo-

Lafayette
and other
foreign
officers

sophical conceptions of Rousseau, Voltaire, and other French writers of the eighteenth century.

The number of Frenchmen who volunteered their services to the American cause was a serious embarrassment to the Continental Congress and to Washington, since it was impossible to give many of them commissions. The young Marquis de Lafayette, however, was a man of such prominent connections that, in view of our dependence on French aid, it was considered wise to give him a high commission, and he was appointed major general. For several months he was without a command and attached himself to Washington's headquarters. He took part in the battle of Brandywine, where he was wounded, and when Stephen was dismissed from the service Lafayette was given his division. Among other distinguished foreigners who were granted commissions

were Baron de Kalb, a German who had assumed the title of baron in order to secure a commission in the French army, Kosciuszko and Pulaski, both Poles, and Baron von Steuben, one of Frederick the Great's veterans.

In September, 1776, Franklin and Jefferson were appointed commissioners to coöperate with Deane in securing the open recognition of France. Jefferson declined this mission and Arthur Lee, who was then in London, was appointed in his place. Franklin's arrival in Paris marks an epoch in the



BENJAMIN FRANKLIN.

Benjamin
Franklin at
the French
Court

history of the Revolution. His name was already familiar to all classes of the people as a philosopher and an apostle of liberty. As the agent of Pennsylvania and Massachusetts in London during the years preceding the Revolution, he had acquired an invaluable experience in the methods of European diplomacy. The ability with which he served his country until the conclusion of the treaty of peace justly entitles him to rank, even to the present day, as America's greatest diplomat. His venerable appearance, simple dress, wit, and ease of manner created enthusiasm wherever he went. Numbers of busts and portraits of him were made and his features were reproduced on watches, rings, and snuff-boxes. The French people, already sympathetically inclined, were completely won over to the American cause, and Vergennes was in favor of giving direct aid, but the king delayed mainly for the purpose of getting Spain to join the alliance with America.

When the news of Burgoyne's surrender reached France, there was great rejoicing, and Vergennes soon informed

Treaty of alliance with France, Feb. 6, 1778 the American commissioners that the treaties which had already been under discussion would be signed. On February 6, 1778, two treaties

were signed by Vergennes and the American commissioners. One was a general commercial treaty. The other was a treaty of alliance, the first and only treaty of alliance ever signed by the United States. France agreed to send troops to America to aid the cause of independence, the possessions of France in the West Indies were guaranteed, and it was agreed that neither party would make peace with England without the consent of the other.

The news of the French alliance, coming after the defeat of Burgoyne, precipitated a crisis in the British ministry. On February 17, before learning of the alliance, Lord North had risen in the House of Commons and, to the amazement of everybody, proposed

a measure which conceded practically everything for which the Americans had contended and provided for the appointment of commissioners with full powers to treat with the colonies. On March 13, two days after the adoption of these measures, the British government learned of the French treaty and immediately declared war on France.

Lord North now urged the king to call upon Chatham to form a new ministry, but the king flew into a rage and declared that no power in heaven or earth should ever make him stoop to treat with "Lord Chatham and his crew." The king would in all probability have been forced to yield, had not the tragic death of Chatham, who was stricken as he rose to speak on the floor of the House of Lords, removed the necessity. As there was no one else who could take his place, the king insisted that Lord North should continue at the head of the ministry.

The winter of 1777-1778 was one of the darkest periods in the history of the war. Washington's army lay encamped at Valley Forge, where the troops suffered untold hardships and privations. The time was employed by Baron von Steuben in reorganizing and drilling the army and from this time forth its movements showed the benefit of superior discipline and staff organization. Howe's army spent the winter in Philadelphia. In the spring he resigned and was succeeded by Sir Henry Clinton. On the 18th of June the British evacuated Philadelphia. Its capture had proved of little or no benefit to them, as Congress had packed up its belongings in a few wagons and moved to another point. From a strategical point of view Philadelphia was useless, and, as a French fleet under Count d'Estaing was approaching the American coast, Sir Henry Clinton decided to return to New York. He had intended to transport his army by water, but as there was not room on the transports for both the army and the thousands of Tories who had flocked

Washing-
ton's army
at Valley
Forge, 1777-
1778

to Philadelphia, he sent 3000 Tories with their personal effects aboard the fleet, while the army with twelve miles of baggage wagons marched across New Jersey.

Washington was quick to seize the opportunity to inflict a sudden blow on the retreating army. He had under his

**Battle of
Monmouth**
June 28,
1778 command about 15,000 men, which was about the strength of Clinton's army. The attack was made at Monmouth June 28, 1778, but un-

fortunately Charles Lee had recently been exchanged and restored to his rank in the American army. His treasonable conduct in this battle completely thwarted Washington's well-planned attack, and, had not the latter come forward at the critical moment, the American army would have suffered severely. As it was, Monmouth was a drawn battle. Clinton continued his march to New York. Lee was placed under arrest by Washington and later court-martialed and suspended from his command.

From Monmouth Washington advanced north, crossed the Hudson, and on July 20 stationed his army at White

**Sir Henry
Clinton shut
up in New
York** Plains. The positions of the two armies were now the same as in the autumn of 1776, but the Americans were now the aggressors and Clinton was acting on the defensive. During July the

French fleet under Count d'Estaing arrived off Sandy Hook and held a conference with two of Washington's aides. As there were only six British ships in the harbor, it was planned for D'Estaing to advance and capture them, but on his pilot's reporting that his two largest ships could not cross the bar which then lay at the mouth of the river, this enterprise was abandoned.

With Washington's approval D'Estaing now undertook to capture Newport with the coöperation of the New England militia. This important post, which the British had occupied since December, 1776, had been a thorn in the side of New England, and the militia now turned out in large numbers.

Newport was garrisoned with 6000 men. It seemed, therefore, a comparatively easy matter for D'Estaing's fleet with 4000 French regulars and Sullivan's army of New England militia, reënforced by 1500 regulars from Washington's army under Greene and Lafayette, 9000 Americans in all, to capture it. Sullivan occupied Butt's Hill at the northern extremity of the island and everything was progressing satisfactorily when Lord Howe arrived with his fleet. D'Estaing reëmbarked his troops and put out to sea. Two days later while the hostile fleets were still maneuvering, a terrific storm came up which so damaged the French ships that D'Estaing decided to go to Boston for repairs, and the New England militia dispersed, greatly to their chagrin.

Monmouth was the last important battle fought in the north. Sir Henry Clinton was hemmed in at New York by Washington's army, which extended in a semi-circle from northern New Jersey through the Highlands below West Point to Danbury, Connecticut. The Tories made frequent raids from the British lines into New Jersey or up the Hudson, and in July, 1779, a large body of them under Governor Tryon raided the Connecticut coast, burning Fairfield and Norwalk, and destroying the shipping in New Haven Harbor.

West Point had been very strongly fortified and was the key to the American position. Lower down the river the Americans had fortified Stony Point on the west bank and Verplank's Point on the opposite bank. On May 31, 1779, Sir Henry Clinton captured and garrisoned Stony Point. Early on the morning of July 16 Anthony Wayne carried this position by storm. On August 18 Major Henry Lee, familiarly known as "Light-Horse Harry," with a small force of picked men stormed the fort at Paulus Hook on the present site of Jersey City and captured the garrison,

Attempt to
take New-
port from
the British,
1778

Tories raid
the Con-
necticut
coast, July,
1779

Stony Point
captured by
Anthony
Wayne,
July 16,
1779

but retired under fire of the ships in the river. These two daring exploits were not of very much importance from a military point of view, but they were a great encouragement to the Americans and caused corresponding depression among the British.

By the Quebec Act of 1774 the territory lying between the Ohio and Mississippi rivers was annexed to the province of Quebec, and soon after the beginning of the Revolu-

Conditions on the western frontier Colonel Hamilton, the British commander at Detroit, undertook to organize the Indians of the northwest for an attack on the settlers south and east of the Ohio River. But his plans were thwarted by the foresight of a young Virginian, George Rogers Clark, one of the early settlers in Kentucky, who, counting on the support of the French inhabitants, was convinced that with a small force he could take possession of this territory. Late in the autumn of 1777 he made his way back to Virginia along the Wilderness Road and laid his plans before Governor Henry.

As it was of the utmost importance that the enterprise should be kept secret, the governor did not consult the legislature, but after conferring with Jefferson, Wythe, and Madison, he authorized Clark to raise a force of 350 men for the enterprise. Clark immediately proceeded to the neighborhood of

Expedition of George Rogers Clark, 1778



GEORGE ROGERS CLARK.

Pittsburg, where he began making enlistments nominally for the defense of Kentucky. By May, 1778, he had succeeded with difficulty in getting together 180 picked riflemen, a flotilla of small boats, and a few pieces of light artillery. With these he proceeded down the Ohio to its junction with the Mississippi and disembarked in what is now southern Illinois. Marching his force over the prairie to Kaskaskia he surprised the garrison and took possession of the town without resistance. With the aid of Father Gibault, a Catholic priest, he succeeded in winning over Cahokia and other neighboring villages.

As soon as Governor Hamilton heard of these events he marched from Detroit with a motley force composed of 500 men, regulars, Tories, and Indians, to Vincennes on the Wabash and garrisoned that fort; but Clark was not to be outdone. Sending some provisions and a few pieces of artillery around by the Ohio and Wabash, he set out from Kaskaskia in the dead of winter with 130 men, marched for sixteen days in the face of apparently insurmountable difficulties across the drowned lands of Illinois, met his boats just in time to save his party from starvation and despair, and appeared before Vincennes to the utter amazement of the British garrison. The town readily submitted, and after a siege of twenty hours, Hamilton surrendered the fort on February 23. The Northwest Territory was thus secured to Virginia and organized as the "county" of Illinois.

The importance of this brilliant exploit was destined to be far greater than even Clark foresaw, for when the treaty of peace was being negotiated at Paris in 1783, America's allies, France and Spain, were both more than willing to sacrifice her interest in order to keep her out of the Mississippi valley, and the western boundary of the United States would undoubtedly have been fixed

The capture
of Vin-
cennes,
Feb. 23,
1779

Importance
of Clark's
exploit

at the Alleghanies but for the fact that this western region was actually occupied by Virginians.

At the beginning of the Revolution Congress had made some effort to establish a navy, but with little success.

State navies and privateers Several of the States, Massachusetts, Connecticut, Pennsylvania, Virginia, and South Carolina, organized State navies, but their operations

were largely limited to the bays and rivers and their principal task was in warding off the marauding attacks of Tories. The seafaring experience of New Englanders found employment in privateering which was very popular and profitable. Even in privateering, however, the British had the advantage, for prior to the French alliance the Americans had captured six hundred British merchant vessels, while the British cruisers had captured nine hundred American vessels.

America produced one naval hero, however, whose reputation is world-wide, John Paul Jones. He was a Scotch-man by birth who came to Virginia in 1773 and settled at Fredericksburg. Jones was given command of the *Ranger* in 1777, and in the following spring he captured the British man-of-war *Drake* and made a descent on the town of Whitehaven on the English coast. In 1779, with the aid of France, he went to sea with five vessels, his flagship being the *Bonhomme Richard*. During the summer he cruised up and down the British coast, striking terror into the inhabitants and taking many prizes. On September 23, he met at the mouth of the Humber a fleet of merchant vessels convoyed by the men-of-war *Serapis* and *Countess of Scarborough*. After an hour's cannonading the *Bonhomme Richard* ran into the *Serapis*, and the bowsprit of the British vessel finally ran over the poop of the American ship. Jones quickly lashed the ships together and a desperate fight ensued at close quarters. When called on to surrender he replied that he had just begun to fight. After both ships were nearly destroyed the *Serapis* surrendered.

The *Scarborough* meanwhile had been captured by the *Pallas*.

Jones took his prizes to Holland and kept them there for several weeks despite the demand of the British government for their surrender. The Dutch sympathized deeply with the American cause, but under the pressure of England the government finally ordered Jones to leave. He escaped with his ships to France. In October, 1780, the British captured Henry Laurens, who was on his way to Holland to negotiate a loan and had among his papers the draft of a treaty signed by an American agent and the chief magistrate of Amsterdam without, however, the authorization of the States-General. This caused great indignation in England, and the Dutch government was called upon to disavow the act and punish the magistrate. The Dutch government disavowed the act, but refused to punish the magistrate of Amsterdam. On December 20, England declared war against Holland.

England
declares war
on Holland,
Dec. 20,
1780

This incident, however, was not the real reason for war. Holland had just joined the agreement which had existed for several months between Russia, Denmark, and Sweden, known as the "Armed Neutrality." Catherine II had organized this maritime league for the protection of neutral commerce. England denied the doctrine of the league, that free ships make free goods, but she did not care to go to war with Russia. Holland, however, had offended in other ways. Her West Indian possession, the island of St. Eustatius, had been the principal base for the Dutch contraband trade with the American colonies. The moment war was declared England sent orders to Rodney, who had left New York and was cruising in the West Indies, to completely destroy the island. These orders were ruthlessly carried out. England was now at war with France, Spain, and Holland, the three

England at
war with
the
great naval
powers

greatest naval powers next to herself, and on the naval situation the independence of America finally hinged. The end was not far off.

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CHAPTER IX

THE WAR IN THE SOUTH

AFTER the surrender of Burgoyne, the British forces in the north acted almost entirely on the defensive. The attempt to break the rebellion at the center had failed, but the ministry thought that they might at least seize and hold Georgia and the Carolinas, and, if successful in this attempt, Virginia also. After the defeat of the British fleet before Charleston in June, 1776, the Southern States had been left for a time unmolested. In 1778 there had been a sort of border warfare between Georgia and Florida carried on, on the British side, mainly by Tories. The American forces in the south were under command of General Robert Howe of North Carolina. Howe was not very successful in the defense of Georgia and, after the occupation of Savannah by a force of 3500 British regulars from New York, the State was entirely overrun by the British.

Georgia
overrun by
the British,
1778

General Benjamin Lincoln of Massachusetts was appointed by Congress to supersede Howe in command of the southern department and arrived at Charleston in December, 1778. In September, 1779, D'Estaing appeared with a powerful French fleet off the coast of Georgia, and he and Lincoln planned the recapture of Savannah. On the 23d their combined forces invested the city, but after three weeks D'Estaing grew impatient, fearing that an autumnal storm might overtake his fleet. On October 9 therefore he undertook to carry the city by assault. Some of the outer works

The Amer-
icans re-
pulsed at
Savannah,
Oct. 9, 1779

were carried, but the British held their own and the Americans were totally defeated, losing more than 1000 men, among them the gallant Pulaski. The French fleet was withdrawn and Lincoln retired to Charleston.

When Sir Henry Clinton learned that the French fleet had left he and Cornwallis went south with a force of 8000 men.

The fall of
Charleston,
May 12,
1780

After their arrival in Georgia, the British were able to muster a force of more than 10,000. From Georgia the British advanced against Charleston, arriving in sight of the city February 26, 1780.

Lincoln had put into the city all the reënforcements that he could get. Washington had sent south practically the whole Virginia line, its ranks greatly depleted by hard service in New Jersey and around New York. This detachment consisted of the brigades of Generals Woodford and Scott. Washington had also detached from his army most of the North Carolina troops.

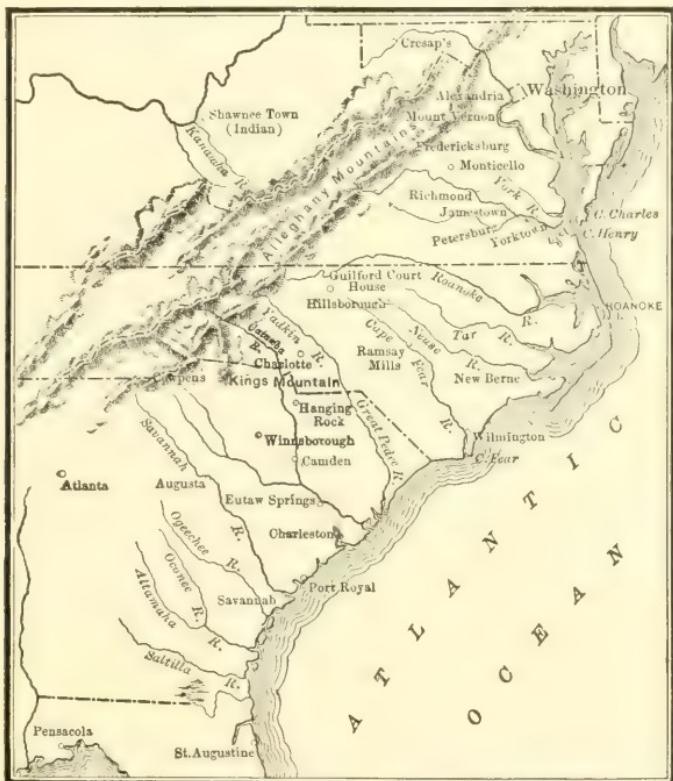
Lincoln's entire force at Charleston numbered 7000 men. He should unquestionably have withdrawn his troops before the city was invested, as there was no hope of his being able to hold out against the combined attack of Clinton's army and the British navy. Finally on May 12, 1780, when the British were preparing to begin an assault, Lincoln surrendered in order to avoid unnecessary loss of life. The militia were allowed to go home on parole but the 3000 Continental troops were held as prisoners till regularly exchanged.

The loss of Charleston was a serious blow, but the loss of Lincoln's army at this time was nothing short of a disaster.

Irregular
warfare in
South
Carolina

In a short time the whole of South Carolina was overrun by the British. Under the overshadowing presence of the British army the Tories became very active, raiding the plantations of their neighbors and settling many an old score. The patriots, however, did not give up the contest. Partisan corps commanded by Pickens, Sumter, and Marion resorted

to a sort of guerrilla warfare in order to check the ravages of the British and punish the Tories. On August 6, 1780, Sumter surprised the British post at Hanging Rock and routed the whole regiment, capturing those who were not



OPERATIONS IN THE SOUTH.

killed. Andrew Jackson, then a boy of thirteen, took part in this fight.

On June 20, Baron de Kalb arrived at Hillsboro, North Carolina, with another detachment from Washington's army of 2000 Maryland and Delaware troops. About the same time General Gates was placed by Congress in command of the southern department. On July 27 he began moving

his forces southward, the objective point of his campaign being Camden, South Carolina. On the 13th of August

General Gates assumes command in the Carolinas he arrived at Clermont, a few miles north of Camden. Lord Rawdon held Camden with a comparatively small force and Gates should have attacked him before Cornwallis had time to reënforce him. On the 14th General Stevens arrived with 700 Virginia militia, but that same day Cornwallis reached Camden with his regulars. The American army now numbered 1400 regulars, chiefly of the Maryland line, and about 1600 raw militia, while Cornwallis's united force was only 2000, but they were all thoroughly seasoned troops.

Not knowing of Cornwallis's arrival, Gates detached part of the Maryland regulars on a long march to the south to coöperate with Sumter, and on the night of the 15th moved forward on the road to Camden intending to surprise Lord Rawdon before daylight.

Battle of Camden, August 16, 1780 At about the same hour Cornwallis started forward with the purpose of surprising Gates. About three o'clock in the morning the skirmish lines of the two armies met. Both halted and waited for daylight. Baron de Kalb urged Gates to retire to Clermont and take a strong position there, but Gates insisted on fighting, although he learned that Cornwallis had joined Rawdon.

In the battle that followed the Virginia and North Carolina militia, which formed Gates's left wing, broke and fled before the advance of the British regulars, and Gates was borne along with them. The first Maryland brigade was also forced off the field, but the second Maryland held its position until the rest of the battle was lost, when it retired in good order. While bravely directing the movements of the Maryland and Delaware troops, Baron de Kalb was killed. It was the worst defeat suffered by the Americans during the war and Gates beat a hasty retreat back to Hillsboro.

In February, 1779, Lafayette had returned to France to visit his family and to urge that a French army be sent to America. On the 10th of July, 1780, the French army of 6000 men arrived at Newport, Rhode Island, commanded by Comte Rochambeau. The Frenchmen who had served in the American army prior to this time were individual volunteers.



BENEDICT ARNOLD.

Rochambeau's
troops were
sent over by
the French
government.
Almost im-
1780

mediately after its arrival the French fleet was blockaded in Narragansett Bay by a powerful British squadron and the French army was kept there idle for a year in order to render aid to the fleet if it should become necessary.

The country had not recovered from the dejection following the

battle at Camden when, in September, 1780, it was startled by the news of Benedict Arnold's treason. Arnold had rendered distinguished services to his country, and Washington had repeatedly recommended him for advancement, but less efficient men had been promoted over his head through political influence. Arnold had married the beautiful Margaret Shippen, a member of one of the leading Tory families of Philadelphia, and this had weakened his influence with the Whigs. In July he had been placed by Washington in com-

The treason
of Benedict
Arnold,
September,
1780

mand of West Point which was the key to the American situation on the Hudson.

Shortly afterwards Arnold entered into a treasonable correspondence with Sir Henry Clinton, who finally sent Major André, a member of his staff, to West Point to confer with him. While making his way back to the *Vulture* with a passport from Arnold, André was arrested by a party of patriots and sent to Washington's headquarters under suspicion of being a spy. While not a spy in the ordinary sense, he had come into the American lines under a flag of truce for a purpose not covered by such a flag. He was therefore condemned by a court-martial as a spy and, in spite of the sympathy which his attractive personality and noble bearing elicited, Washington refused to modify the sentence and he was hanged. Arnold had made his escape to the British lines.

About a month after the battle of Camden, Cornwallis invaded North Carolina and advanced as far as Charlotte.

Battle of King's Mountain, October 7, 1780 He had detached Major Patrick Ferguson with a force of 200 British infantry and 1000 Tories to go through the western counties of South Carolina for the purpose of enlisting more Tories.

The approach of Ferguson aroused the backwoodsmen far and wide, and finding himself in danger of being surrounded he began his retreat towards the main army at Charlotte, followed closely by about 1000 picked frontiersmen. These men came from various directions: James Williams from South Carolina, William Campbell from Virginia, Benjamin Cleveland and Charles McDowell from North Carolina, and Isaac Shelby and John Sevier from across the mountains in Tennessee. On the night of October 6, Ferguson camped on one of the southern spurs of King's Mountain. The mountain itself lies in North Carolina, but the battle was fought just across the line in South Carolina. The position was a strong one, and when Ferguson looked

about him on the morning of the 7th he exclaimed : " Well, boys, here is a place from which all the rebels outside of Hell cannot drive us." About three o'clock in the afternoon the position was stormed from three directions by the Americans, who advanced in true backwoodsman's fashion from tree to tree and from rock to rock, picking off the enemy one

by one with deliberate aim. As they closed in on the British Ferguson was killed and the survivors surrendered. This brilliant victory helped to revive the spirits of the desponding patriots.

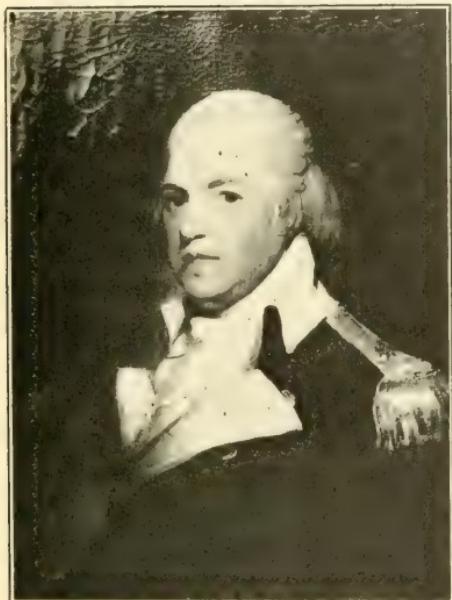
As soon as Cornwallis heard of the disaster which had overtaken Ferguson, he retreated into South Carolina, and shortly afterwards Gates advanced

General
Greene
supersedes
Gates,
December 2,
1780

with his shattered army from Hillsboro to Char-

HENRY LEE, known as "Light Horse Harry" Lee.

lotte. On December 2, Greene, who had been appointed by Washington to supersede Gates, arrived at Charlotte and took command of the southern department. Shortly before this the southern army had received another accession of strength in the arrival of Daniel Morgan. After the failure of Congress to recognize his services at Saratoga by promoting him to a brigadier generalship, he resigned his commission and returned to his home in Virginia. After the disaster at Camden, however, he was prevailed upon to reenter the service and Congress gave him the rank of briga-



dier general which he had so long deserved. "Light-Horse Harry" Lee and Colonel William Washington, both superb cavalry commanders, also joined the southern army about this time. Cornwallis soon made ready to advance into North Carolina, but he was harassed by Morgan, who was operating on his left flank.

When Cornwallis began the advance, he sent

Battle of Cowpens, January 17, 1781

Tarleton with a small detachment to look after Morgan.

These forces met in battle at Cowpens, January 17, 1781. Although the number of troops engaged was small, this battle is from a strategic point of view one of the most interesting of the whole war. As Tarleton was acting on the aggressive, Morgan selected his own ground. He stationed his main body of Continental troops on the brow of a gentle hill with the Broad River in his rear. A hundred and fifty yards in front he stationed the Carolina and Georgia militia under General Pickens. About the same distance in his rear, on another slight elevation, he placed William Washington and his cavalry. The militia were ordered to fire a few volleys as the British advanced and then to retire around the American left and re-form in the rear.

This plan was strictly adhered to. Tarleton charged the American line with his usual impetuosity and the militia retired according to orders. Just as the British charged the



DANIEL MORGAN.

main line, Washington swept with his cavalry around the American left and took them in the rear, while Pickens's militia hastily re-forming circled around the American right and attacked the British in flank and rear. The greater part of the British force immediately threw down their arms and surrendered, while Tarleton with a few horsemen fled from the field.

Greene now led Cornwallis a chase across North Carolina and finally retired across the Dan into Virginia, where he was reënforced. He then returned into North Carolina and offered battle at Guilford Court House, March 15. This battle was hotly contested and at nightfall Greene was finally compelled to retire, leaving the enemy in possession of the field. The British had fought with magnificent courage but were too crippled to continue the campaign and Cornwallis retreated in haste to Wilmington, the nearest point on the seacoast.

When Cornwallis got to Wilmington he did not like to acknowledge defeat by taking his army back to Charleston by sea and beginning again "the conquest of the Carolinas." Sir Henry Clinton had recently sent General Phillips to Virginia with a strong force, and Cornwallis now decided to abandon the Carolinas and unite his army with that of Phillips. This change of campaign was adopted solely on the responsibility of Cornwallis and without the sanction of Sir Henry Clinton.

Greene meanwhile marched into South Carolina and advanced toward Camden, which was held by Lord Rawdon. Fort Watson, which stood midway between Camden and Charleston and commanded Lord Rawdon's line of communications, was captured by Lee and Marion April 23, and Lord Rawdon was thus compelled to evacuate Camden, although, before doing so, he inflicted a defeat on Greene at Hobkirk's Hill about two miles north of Camden, April 25. Rawdon then retired

Greene
wears Corn-
wallis out

Greene's
operations
in South
Carolina

to Monk's Corner, about thirty miles north of Charleston. During May and June all the remaining inland posts were taken from the British.

During the summer Rawdon returned to England, leaving Colonel Stuart in command. On September 8, 1781, Greene attacked the British at Eutaw Springs. During the first part of the battle the British were driven from the field, but they succeeded in forming a new line which was protected by a brick house and palisaded garden, and from this position the Americans were unable to drive them. The victory was therefore claimed by the British, but the following evening they beat a hasty retreat and during the rest of the war they were cooped up in Charleston under the protection of their ships.

Virginia, which Cornwallis now chose as the scene of his operations, had been free from invaders during the greater

Review of military operations in Virginia, 1779-1781 part of the war, but during Jefferson's governorship, 1779-1781, Sir Henry Clinton sent three expeditions to raid and harry the coasts and rivers: Matthews and Collier in 1779; Leslie in 1780; and

Arnold and Phillips in 1781. On January 2, 1781, Benedict Arnold landed at Portsmouth and two days later proceeded up the James to Richmond. After destroying everything of value he fell back down the river to Portsmouth, where he was kept closely within his intrenchments by the militia which Muhlenberg had collected. In view of the helpless state of Virginia, Washington dispatched Lafayette to its aid with 1200 regulars from the main army, hoping through the coöperation of the French fleet to capture Arnold.

Leaving his troops at the head of Elk River in Maryland, Lafayette hastened forward to Virginia. On March 19 he arrived at Muhlenberg's camp near Suffolk, but the next day the British fleet of Admiral Arbuthnot, having defeated the French fleet of Destouches off the Capes, landed 2000 men at Portsmouth under command of Major General Phillips.

Advancing up the James again the British destroyed a large quantity of tobacco and other stores at Petersburg, but were prevented from taking Richmond by the timely arrival of Lafayette's force. On May 31, 1781, General Phillips died at Petersburg and a week later Cornwallis arrived with his army from the Carolinas and assumed direct command,

soon after which Arnold returned to New York.

Cornwallis's force had now been raised to 5000 veteran soldiers. The ^{Campaign of} _{Cornwallis in Virginia} only American army in the State was that of Lafayette, which was stationed at Richmond and numbered 3000 men, two thirds of them raw militia. Lafayette was at this time twenty-three years of age, but he conducted a very skillful campaign, keeping out of



ANTHONY WAYNE.

Cornwallis's reach, while continually harassing him.

As Cornwallis advanced from Petersburg to Richmond, Lafayette retired toward Fredericksburg. On June 4 he crossed the Rappahannock at Ely's Ford and halted in a strong position. Cornwallis refrained from following him and sent Tarleton on a raid to Charlottesville for the purpose of breaking up the legislature and seizing Thomas Jefferson. Jefferson was surprised at Monticello, but hastily mounting a horse managed to escape into the mountains. On the 10th of June Lafayette effected a junction with Wayne, who had been sent to reinforce him with a body of Pennsylvania regulars.

Lafayette was now strong enough to cause Cornwallis considerable annoyance and on June 15 the latter retreated toward Richmond. On the 20th Cornwallis continued his retreat from Richmond and marched down the peninsula toward Williamsburg.

Cornwallis
retires to
Yorktown,
August,
1781

Lafayette's force had been joined by Steuben and also by Virginia militia until he had 5000 men under his command, and he followed closely on the British rear. On the 6th of July a fight occurred at Green Spring near Williamsburg in which the American advance was repulsed. Early in August

Cornwallis occupied Yorktown and ordered over to his assistance the garrison from Portsmouth, so that his force numbered 7000. Lafayette established himself at Malvern Hill, keeping a close eye on Cornwallis.

Washington was meanwhile watching the situation with intense interest, and when he learned the relative positions

Washington and Rochambeau join Lafayette in Virginia of the armies on the peninsula, he was quick to grasp the opportunity of crushing Cornwallis with the aid of the French navy and bringing the war to a close. On August 14, he received a message

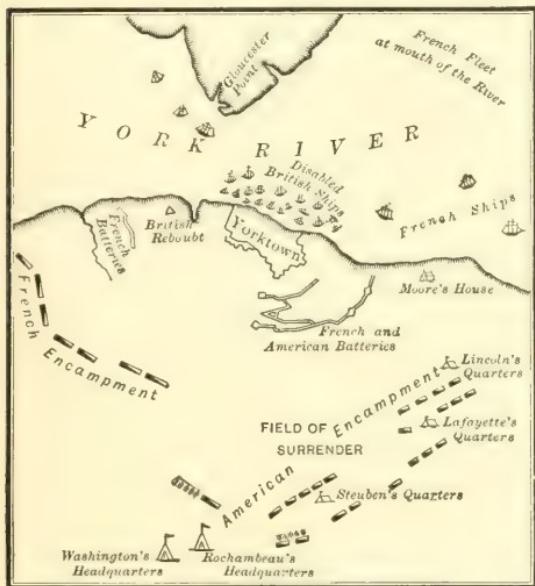
from Count de Grasse, who had a powerful French fleet in the West Indies, that he was just starting for Chesapeake Bay. Washington and Rochambeau had been urging this for some time. Rochambeau's army had already joined Washington on the Hudson. Sir Henry Clinton was expecting an attack on New York, so that Washington and Ro-



MARQUIS DE LAFAYETTE.

chambeau got their troops half through New Jersey before his suspicions were aroused as to their real object. General Heath remained at West Point with 4000 men.

Washington took south with him 2000 Continentals and 4000 Frenchmen. By the 5th of September they reached the head of Chesapeake Bay and from that point



OPERATIONS AT YORKTOWN.

two of the British redoubts. On the 17th Cornwallis asked for terms of surrender and the formal surrender took place October 19, 1781. General Lincoln, who was in command of the American army at the fall of Charleston, was designated by Washington to receive the surrender.

The surrender of Cornwallis was regarded on both sides of the Atlantic as marking the end of the war. Congress had already appointed a peace commission, consisting of Adams, Franklin, Jay, Laurens, and Jefferson, so as to be ready to open negotiations at the earliest favorable moment. Their instructions were

Surrender of Cornwallis at Yorktown, October 19, 1781

they were conveyed in ships to Yorktown, where they arrived on the 18th. On September 31 the French squadron arrived on the scene and the siege of Yorktown began. On the 14th of October Alexander Hamilton with a part of Muhlenberg's brigade, and the Baron de Viomenil, stormed and carried

Peace commissioners appointed by Congress

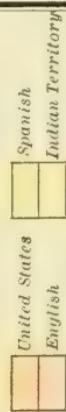
that the independence of the colonies should be recognized, and that the existing treaties with France should be observed. The commissioners were, furthermore, explicitly directed "to make the most candid and confidential communications upon all subjects to the ministers of our generous ally, the King of France; to undertake nothing in the negotiations for peace or truce without their knowledge or concurrence; and ultimately to govern yourselves by their advice and opinion." Jefferson declined the mission, Laurens was still a prisoner in London, Jay was occupied for the next year with negotiations in Spain, and Adams was engaged in negotiating a treaty with Holland which was not concluded for more than a year, so that Franklin had the responsibility of conducting the early negotiations alone.

The diplomatic situation was peculiar: the United States were in alliance with France and their commissioners under

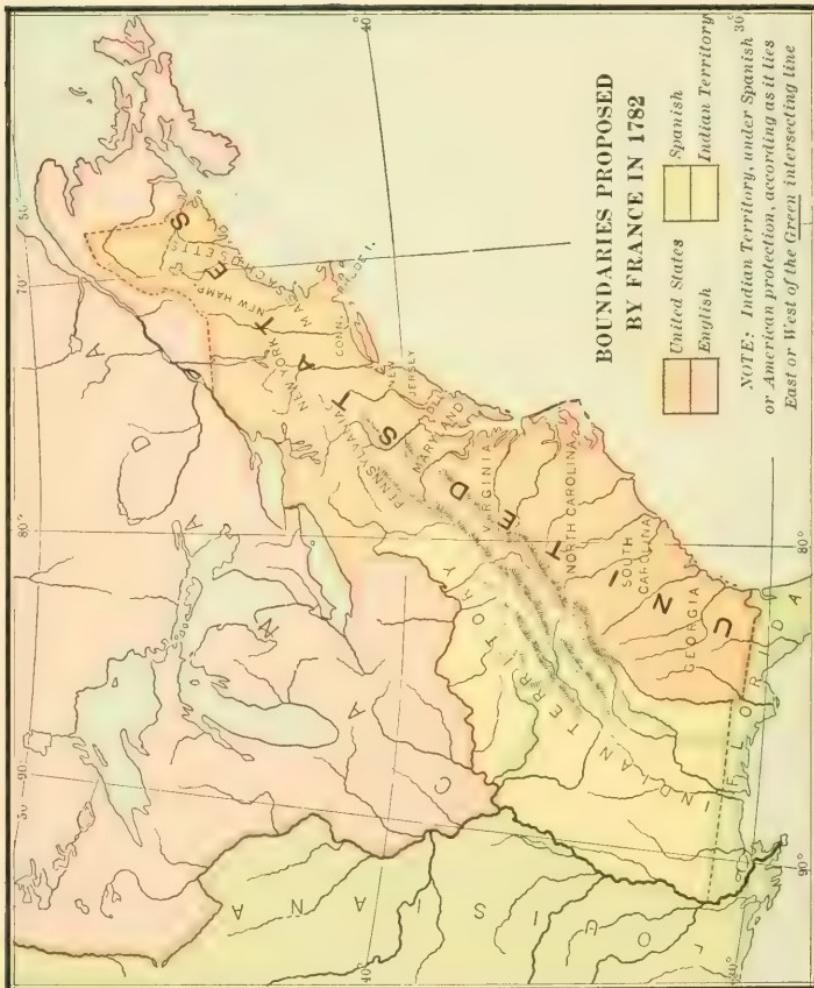
Complexities of the diplomatic situation instructions not to make peace without the consent of that power; Spain was at war with Great Britain, but at heart hostile to the Americans; France and Spain had common interests not in harmony with the interests of the United States; Holland was at war with England and loaning money to the Americans, but suspicious of France. In England the North ministry had been overthrown, but their successors were divided as to the policy to be pursued. The House of Commons had declared in favor of peace, but the king was still utterly opposed to the recognition of independence. Rarely, if ever, have American diplomats had to face such complex conditions.

In April, 1782, Richard Oswald, a retired Scotch merchant, was sent to Paris by Lord Shelburne, the head of the new **Preliminary negotiations** ministry, on a confidential mission to Franklin. He carried back to London a memorandum of Franklin's views respecting the terms of peace and soon returned to Paris with a commission authorizing him to treat

BOUNDARIES PROPOSED
BY FRANCE IN 1782



NOTE: Indian Territory, under Spanish
or American protection, according as it lies
East or West of the green intersecting line



with the "Colonies." Franklin and Vergennes thought the commission sufficient to justify negotiations, but Jay, who had lately joined Franklin, objected, insisting that Oswald's commission should mention the "United States."

About the same time Jay heard through a confidential source that Vergennes favored giving Spain the territory between the Alleghanies and the Mississippi as far North as the Ohio River, and without consulting Franklin he sent a secret agent to London to confer with Lord Shelburne. As a result a new commission, entirely satisfactory to Jay, was sent to Oswald, and the latter was also instructed to hasten independent negotiations with the American commissioners. Shelburne preferred having the United States in the Ohio Valley rather than Spain and he was pleased at the prospect of breaking the French alliance. Accordingly he directed Oswald to act so as "to regain the affections of America." While Jay and Franklin were divided on the question as to whether they should break their instructions and negotiate independently of France, Adams arrived from Holland and at once sided with Jay. Thus, in order to circumvent the alleged schemes of their allies, the American commissioners joined forces with their enemy.

In the negotiations the Americans insisted on three points: first, that the western boundary of the United States should extend to the Mississippi; second, ^{The points} that they should have the right of free navigation ^{at issue} to the mouth of that river; and third, that Americans should retain the right to fish on the coasts of Newfoundland, Nova Scotia, and Labrador. On the British side two points were pressed: first, that American independence should be complete and free from France; and second, that British debts should be secured and the loyalists restored to their rights. Most of these points were settled without great difficulty.

At first Great Britain claimed the whole of Maine, but the

St. Croix River was finally agreed on; from the source of the St. Croix the boundary was to follow the highlands to the **Boundaries defined** Connecticut River, along that river to the forty-fifth parallel, thence westward to the St. Lawrence, through the St. Lawrence and the Great Lakes to the Lake of the Woods and from the northwest point of that lake due west to the Mississippi; thence down the Mississippi to the thirty-first parallel; thence along the thirty-first parallel to the Appalachicola, down the Appalachicola to its junction with the Flint, thence east to the head of the St. Mary's River and down that river to the Atlantic Ocean. While the description of this boundary in the treaty seems sufficiently clear, very little was known of the St. Croix River or of the Lake of the Woods and the source of the Mississippi, and the language was later found to be inexact and open to differing constructions, a fact which led in the years to come to serious controversies.

American fishermen were admitted to the waters of Canada and Newfoundland, and the right to navigate the **Other points agreed on** Mississippi was secured. It was also agreed that no impediments should be thrown in the way of the legal recovery of debts due to British subjects, but the demand that the American Congress should restore to the loyalists their confiscated estates, valued at \$20,000,000, or reimburse them with public lands, met with determined opposition. It was finally agreed that Congress should earnestly recommend to the States to restore to the loyalists their confiscated property. It was, however, generally understood that this recommendation would amount to nothing. Great Britain herself later compensated the more active loyalists with pensions or lands in Canada.

The preliminary treaty was signed November 30, 1782. Laurens, having arrived two days before, united with Franklin, Jay, and Adams in signing it. Vergennes was not consulted in the negotiations and not informed of the

terms of the treaty until after it was signed. It took all of Franklin's suavity and tact to appease him. ^{The treaty signed. Its reception} Franklin said to him : "Nothing has been agreed, in the preliminaries, contrary to the interests of France ; and no peace is to take place between us and England till you have concluded yours."

The feeling of the majority of the Congress of the United States was that the commissioners were not justified in departing from their instructions. They were, therefore, thanked for their services, but mildly reproved for their conduct towards France. In England the treaty was regarded as too liberal in its terms and it caused the overthrow of the ministry, but the new ministry signed the definitive treaty in the exact terms of the preliminary, September 3, 1783.

During the war the revenues of the government had been derived from three sources : Continental paper currency, known as "bills of credit"; domestic and foreign loans; and taxes, levied by means of requisitions ^{Finances of the Revolution} on the States. From the last source less than \$6,000,000 was derived, since the States failed to honor the requisitions of Congress. Over \$240,000,000 of paper money was issued between 1775 and 1779, but as Congress was unable to redeem any of it at par, it rapidly depreciated, and finally became utterly worthless. From domestic loans and supplies about \$28,000,000 was received. The agents of the United States abroad borrowed \$6,352,500 from France, \$1,304,000 from Holland, and \$174,000 from Spain, making a total of \$7,830,500. The individual States, besides issuing large volumes of paper money, incurred heavy foreign and domestic debts in carrying on the war. The amount of the State debts was estimated by Hamilton in 1790 at \$25,000,000.

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PART III

NATIONAL ORGANIZATION

CHAPTER X

THE ADOPTION OF THE CONSTITUTION

THE States had at last won their independence, but they were burdened with heavy foreign and domestic debts and held together in a precarious union by a constitution which was utterly inadequate to meet the demands of the future. During the greater part of the Revolution the only central governing body was the Continental Congress, which exercised only such authority and powers as the States cared for the time being to recognize. The Articles of Confederation which had been drafted by the Continental Congress and submitted to the States in 1777 were not finally ratified until 1781, a few months before the surrender of Cornwallis. They established a weak Confederation, without an executive or a judiciary, and with a Congress which had no power to regulate commerce or to levy taxes. When it needed money it had to ask the States. It could not proceed against individuals, and if a State refused to pay its share of a requisition, there was no redress, as the coercion of a State was out of the question.

The Articles
of Con-
federation

The Articles contained one clause of importance which was retained in the Constitution of the United States and which was the first step toward the creation of a national citizenship. It provided that the free inhabitants of each State should be

"entitled to all privileges and immunities of free citizens in the several States." Such in brief was the first instrument of government adopted by the United States. After the war was over and all immediate danger removed the States paid less heed than ever to what little power Congress possessed and that body sank into a state of hopeless inefficiency. Its latter days were redeemed, however, by one measure of consummate statesmanship, the famous Ordinance of 1787.

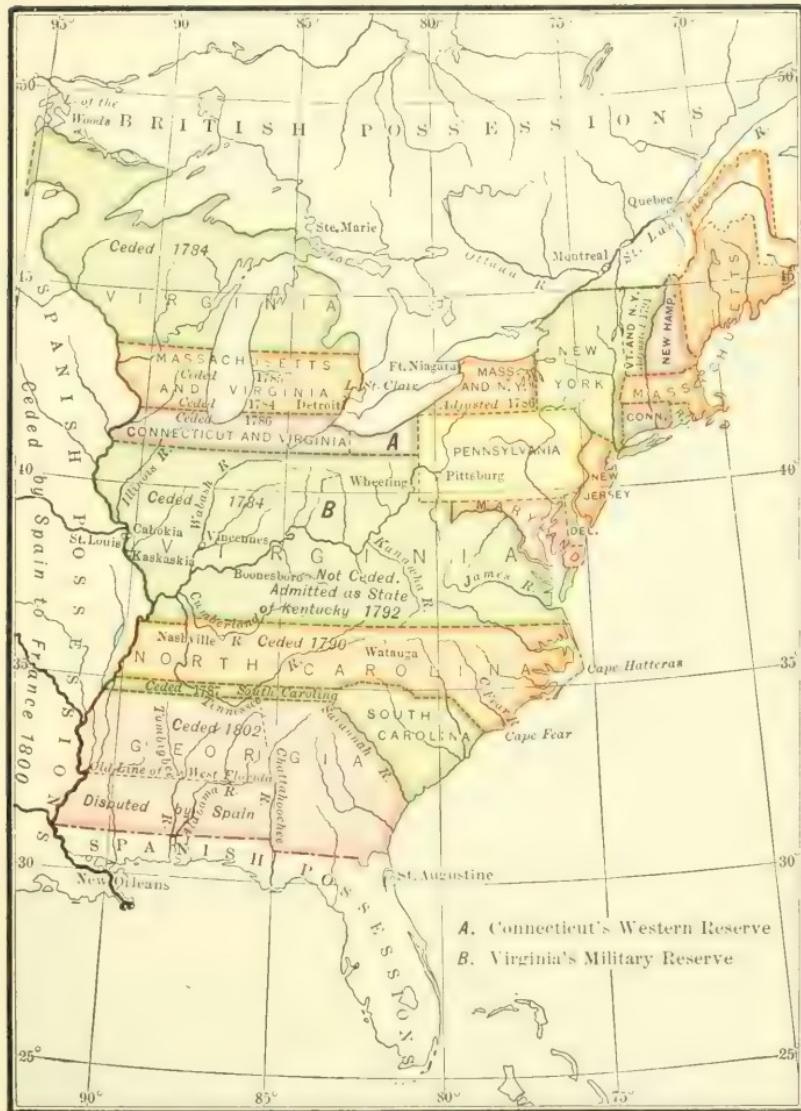
The territory north of the Ohio River was claimed by Massachusetts, Connecticut, New York, and Virginia.

Claims to western lands The claims of Massachusetts and Connecticut were based on their colonial charters; the claim of New York was based on the theory that she had fallen heir to all the lands over which the Iroquois had held sway; while that of Virginia which overlapped all the others was based on the charter of 1609 supplemented by the conquest of George Rogers Clark. South of the Ohio Virginia's claim to Kentucky was generally recognized, while the remaining territory as far south as the thirty-first parallel was claimed by North and South Carolina and Georgia. The other six States had no western lands and desired to extend the authority of Congress over the disputed area.

On October 15, 1777, while the Articles of Confederation were still under discussion, the Maryland delegation proposed that Congress should be given the right to "fix the western boundary of such States as claim to the Mississippi or South Sea; and lay out the land beyond the boundary so ascertained into separate and independent States from time to time as the numbers and circumstances of the people thereof may require." Until this was done Maryland refused to ratify the Articles of Confederation. Her territory was limited and she did not care to be overshadowed by the vast empire which Virginia claimed.

Northwest Territory ceded to the United States "fix the western boundary of such States as claim to the Mississippi or South Sea; and lay out the land beyond the boundary so ascertained into separate and independent States from time to time as the numbers and circumstances of the people thereof may require."

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THE UNITED STATES IN 1783—STATE CLAIMS AND CESSIONS

At first the States concerned refused to meet the demands of Maryland, but in 1780 New York, whose claims were vague and shadowy, led the way in offering to surrender her claims. Connecticut followed the same year, and the following year Virginia agreed to cede all her lands north of the Ohio on condition that she should remain in undisputed possession of Kentucky. Maryland then ratified the Articles March 1, 1781, and they went into effect. Massachusetts did not cede her claims until 1785, and when Connecticut made the formal act of cession she retained 3,250,000 acres along the southern shore of Lake Erie, which became known as the Western Reserve. Prior to these cessions the United States consisted of thirteen separate States; now it was composed of thirteen States and a national domain. The existence of a national domain was to be a potent factor in the development of American nationality.

In 1784 an ordinance drafted by Thomas Jefferson was introduced in Congress, providing for a division of the western lands into prospective States. His plan included the lands south of the Ohio as well as the Northwest Territory, and provided that after the year 1800 there should be "neither slavery nor involuntary servitude otherwise than in punishment of crimes, whereof the party shall have been duly convicted." This ordinance was passed with the elimination of the slavery clause, but it never went into effect.

In 1787 a new ordinance, introduced by Nathan Dane of Massachusetts, and limited to the lands which had been ceded north of the Ohio, was adopted by Congress. Many of its features were borrowed from Jefferson's ordinance. The Northwest Territory was to be organized immediately by the appointment of a governor, a secretary, and a court of three judges, and as soon as there should be in the district five thousand free male inhabitants of full age they were to be granted a legislative assembly. The territory was eventually to be divided

The Ordinance of
1787

into not less than three nor more than five States, and whenever any one of these States should have sixty thousand free inhabitants it was to be admitted into the Union on an equal footing with the original States. Freedom of worship, trial by jury, and other guarantees of personal liberty were perpetually established, education was to be encouraged, and slavery was excluded. This ordinance was a great state paper and it laid broad and deep the foundations of the territorial system by means of which the United States was enabled to prepare for statehood the vast territories that were later annexed.

North Carolina ceded her western lands to Congress in 1784. The settlers of eastern Tennessee, the region which had earlier been embraced within the Watauga Association, promptly took steps to form a State government in order to be prepared to protect themselves against the Indians. They drew up a constitution, took the name of the "State of Franklin," elected John Sevier governor, and applied to Congress for admission into the Union.

Meanwhile North Carolina had withdrawn her act of cession and undertook to assert her authority over the region again. This almost led to civil war. Congress refused to intervene and when Sevier's term as governor expired, the inhabitants gave up all pretense of independence and recognized the authority of North Carolina once more. Sevier was arrested for treason and taken across the mountains for trial, but he was not prosecuted.

The defects in the Articles of Confederation were being more fully realized each year. Congress had no control over commerce and was unable to raise enough money to pay the interest on the Revolutionary debt. Furthermore, disputes in regard to interstate commerce and the navigation of interstate waterways were continually arising and causing bad feeling.

**The need of
a stronger
union**

The government was falling into disrepute both at home and abroad and the country appeared to be drifting toward anarchy. Massachusetts was in the throes of open rebellion on the part of the debtor class led by Daniel Shays, a former captain in the Revolution.

In the spring of 1785 commissioners from Maryland and Virginia met at Mount Vernon, at the invitation of Washington, for the purpose of adjusting differences that had arisen over the navigation of the Potomac River. Out of this conference grew the idea of a general convention of the States to take into consideration the trade of the Union. At the suggestion of James Madison the Virginia legislature appointed commissioners for this purpose in January, 1786, and the other States were invited to send delegates to meet them at Annapolis on the first Monday in September.

As only five States responded to this invitation the Annapolis Convention was unable to accomplish anything along the line suggested, but Alexander Hamilton submitted a report, which was unanimously adopted, proposing a convention of delegates from all the States to meet at Philadelphia the second Monday in May, 1787, to take into consideration the state of the Union. A copy of this report was transmitted to Congress, which hesitated to act, but finally on February 21, 1787, issued a call for a convention to meet at the time and place proposed "for the sole and express purpose of revising the Articles of Confederation," and to report such alterations as should "render the federal constitution adequate to the exigencies of government, and the preservation of the Union."

It was a remarkable group of men that assembled in Philadelphia as delegates to the convention. Washington, Franklin, Madison, Hamilton, Mason, Robert Morris, and Gouverneur Morris would have rendered any assembly illustrious. Others

The pro-
posal to
amend the
Articles of
Confedera-
tion

The Federal
Convention,
May 25—
September
17, 1787

who were specially prominent in the proceedings were James Wilson of Pennsylvania; William Samuel Johnson, Oliver Ellsworth, and Roger Sherman, of Connecticut; Elbridge Gerry and Rufus King, of Massachusetts; William Patterson, of New Jersey; John Dickinson, of Delaware; Luther Martin, of Maryland; and John Rutledge, C. C. Pinckney, Charles Pinckney, and Pierce Butler, of South Carolina.

Rhode Island was the only State which did not choose any delegates. New Hampshire did not appoint hers until late and they did not take their seats until July 23. Meanwhile two of New York's three delegates had withdrawn leaving Hamilton without a vote, so that not more than eleven States voted at any one time.

By May 25 a sufficient number of delegates had arrived to enable the convention to organize and Washington was elected president. The work of the convention was carried on behind closed doors and a rule of secrecy was imposed on its members. The official journal of the secretary, William Jackson, was very carelessly kept, but Madison kept copious notes for his own information which are much fuller and more accurate than the secretary's. Hasty notes were also made by Yates, King, and a few other members, and notwithstanding the rule of secrecy occasional letters were written by delegates to friends. When the convention adjourned Washington took charge of the journal and other papers, which he deposited with the Department of State in 1796. They were first printed by direction of Congress in 1819 and were followed later by the publication of Madison's journal and other material.

On May 29 Governor Edmund Randolph, acting for the Virginia delegation, introduced a series of resolutions embodying what became known as the Virginia plan. This plan provided for a national legislature of two houses in which the States should be represented according to quotas of contributions or to the number of free

inhabitants; the members of the first branch were to be chosen by the people of the several States, and the members of the second branch were to be chosen by the first from a list of nominations made in each State by the legislature. It also provided for a national executive, and for a national judiciary; the latter was to have jurisdiction over suits in which foreigners were interested, which concerned the national revenue, or which involved the national peace and harmony, and was also to try impeachments. Provision was likewise made for the admission of new States, for the guaranty of a republican government to each State, and for amendments.

The Randolph resolutions were immediately taken up in detail and became the basis of the subsequent discussions. As they contemplated a national rather than a federal form of government, that question was at the start put before the convention, and on May 30 a resolution was adopted declaring "that a national government ought to be established consisting of a supreme Legislature, Executive, and Judiciary." Thus the convention set itself the task not of patching up the old Articles of Confederation, but of framing a new constitution.

The convention resolves to establish a national government

By June 13 the Virginia plan had been adopted by the committee of the whole without radical change and was reported to the convention. So far the national party appeared to be in control, but the opposition of the smaller states was merely gathering force. Before proceeding with the discussion of the Virginia plan William Patterson of New Jersey asked permission to introduce a new and totally different plan. The New Jersey plan provided nothing more than a revision of the Articles of Confederation. It proposed a plural executive and a judiciary. Congress was to be given the right to levy duties on imports and to regulate trade, and the executive was to have the right to coerce a State, or any body of men in a

The New Jersey plan

State, who refused obedience to the acts of Congress or to treaties.

James Wilson made an excellent comparison of the two plans on the floor of the convention. He said: "The only difference between the plan from Virginia and the plan from New Jersey is, in a word this: Virginia proposes two branches to the legislature, Jersey one. Virginia would have the legislative power derived from the people, Jersey from the States. Virginia would have a single executive, Jersey more than one. By the Virginia plan the national legislature can act on all national concerns. By the New Jersey plan only to a limited extent. By the one the legislature can negative all State laws. By the other the executive can compel obedience by force."

Patterson said that the basis of the old Confederation was "equal sovereignty," and that the work of the convention

The New Jersey plan rejected, but the word national stricken out of the Virginia plan was limited to a revision of the Articles of Confederation. In the discussion which followed Wilson, Madison, and Hamilton attacked the New Jersey plan with great force, and by a vote of seven to three it was finally declared inadmissible. On June 19 the convention again took up the Virginia plan, but the opposition had developed such strength that on the following day the convention ordered that the word *national* be stricken out of the Randolph resolutions wherever it occurred. The word *national* as applied to the United States did not come into general use until after the Civil War. Even during that struggle the army of the United States was commonly spoken of as the Federal Army.

The small states secure equal representation in the Senate This concession to the small State party encouraged them to renew the fight for a single legislative body in which the States should have equal representation. It was finally decided that there should be two branches of the legislature and that in the first branch proportional representation should

prevail. The Connecticut men immediately demanded a decision as to the make-up of the second branch. Ellsworth described the union as partly federal and partly national and demanded that this fact be recognized. The whole subject was referred to a committee consisting of one member from each State, which finally recommended that representation in the first branch be proportional and that all revenue bills originate in that branch, but that each State should have an equal vote in the second branch. This report was adopted by the convention.

The next important question related to the basis of representation. Having decided that representation in the first branch of the legislature should be proportional, ^{The three fifths compromise} the convention now had to determine whether it should be proportional to population or to wealth, and, in either case, whether slaves should be included. The delegates from South Carolina favored population as the basis for representation and insisted that slaves should be counted. To this the Northern States were stoutly opposed.

Williamson of North Carolina advocated counting three fifths of the slaves in taking the population, a proposition which had been brought forward in Congress four years before in connection with the apportionment of taxes. Gouverneur Morris moved that "taxation shall be in proportion to representation." This was a two-edged sword, for if the South should secure a larger representation through its slaves than it would otherwise be entitled to, it would have to pay proportionately heavier taxes. Mason amended Morris's motion so as to limit it to direct taxes. It was finally agreed that in apportioning representatives and direct taxes three fifths of the slaves should be counted.

Another problem in which the slavery question figured was the control of commerce. The Southern States being exclusively agricultural were opposed to giving the general government unrestricted control over commerce for fear

Control of commerce and the slave trade that the Northern States would use this power to enact protective tariffs. As Mason said: "The Southern States are the minority in both Houses. Is it to be expected that they will deliver themselves bound hand and foot to the Eastern States?" Furthermore South Carolina and Georgia were opposed to giving Congress the power to prohibit the foreign slave trade. Pinckney said: "South Carolina can never receive the plan if it prohibits the slave trade. In every proposed extension of the powers of Congress, that State has expressly and watchfully excepted that of meddling with the importation of negroes."

Compromise effected through aid of New England votes Both questions were referred to a committee and a compromise was effected. The South Carolina and Georgia delegates agreed to vote for federal control over foreign and interstate commerce, provided Congress should be expressly prohibited from interfering with the foreign slave trade for a period of twenty years. Madison, Mason, and Martin made a valiant fight against this compromise, but when the vote was taken Massachusetts, Connecticut, and New Hampshire voted with Maryland, North Carolina, South Carolina, and Georgia in favor of continuing the slave trade; while only New Jersey, Pennsylvania, and Delaware stood by Virginia in opposing it.

Rutledge of South Carolina made this appeal: "If the Northern States consult their interest, they will not oppose the increase of slaves which will increase the commodities of which they will become the carriers." Ellsworth of Connecticut eased his conscience by this utterance: "The morality or wisdom of slavery are considerations belonging to the States themselves. What enriches a part enriches the whole, and the States are the best judges of their particular interest." Madison, on the other hand, declared: "Twenty years will produce all the mischief that can be apprehended

from the liberty to import slaves. So long a term will be more dishonorable to the national character than to say nothing about it in the Constitution."

One of the last problems to be solved by the convention was the method of electing the president. It had at first been decided that he should be chosen by the Congress of the United States, and that he should serve for seven years and be ineligible for re-election. On September 4, however, a committee to whom the question had been referred reported the plan of an electoral college. The presidential term was then fixed at four years and nothing was said about reëlection.

On Monday, September 17, the convention assembled for the last time and the revised draft of the Constitution was presented for signature. Of the seventy-three delegates appointed to the convention only fifty-five ever attended any of its sessions, and of these only thirty-nine signed the Constitution. Some had hurried home, while Mason, Randolph, and Gerry, who remained to the last, protested against certain of its provisions and refused to sign. Following the instructions of the convention Washington forwarded the Constitution to Congress with a letter, and Congress transmitted it to the States.

The Constitution contained the provision that when ratified by the conventions of nine States it should go into effect between the States so ratifying it. The people of the States were at once divided into groups of Federalists and Anti-Federalists, the former favoring, the latter opposing the new Constitution. The first convention was called in Pennsylvania, but while it was debating the question the Delaware convention met and ratified the Constitution by a unanimous vote December 7, 1787.

The term of
the Presi-
dent and
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election

The Con-
stitution
completed
and sub-
mitted to
the States

Prompt
action of
Delaware,
Pennsyl-
vania, New
Jersey,
Georgia,
and Con-
necticut

Pennsylvania followed on the 12th by a vote of 46 to 23. New Jersey ratified December 18 unanimously, Georgia January 2, 1788, also unanimously, and Connecticut January 9 by a vote of 128 to 40.

In Massachusetts Gerry began the fight against the Constitution by circulating Richard Henry Lee's "Letters of a Federal Farmer" and Mason's letter explaining why he refused to sign the Constitution. When **The debate
in Massa-
chusetts** the convention met the majority was opposed to ratification. The Federalist leaders were King, Gorham, Fisher Ames, and Bowdoin, but John Hancock and Samuel Adams held back and unless they could be won over there was no chance for ratification. Adams said when the Constitution was first shown him: "I stumble at the threshold. I meet with a national government, instead of a federal union of sovereign States."

A letter from Washington published in the Boston papers at an opportune moment had great weight. In it he said: "I am persuaded that the Constitution or disunion is before us to choose from. If the first is our election, a constitutional door is opened for amendments, and may be adopted in a peaceable manner, without tumult or disorder." Hancock finally proposed ratification with a series of amendments. Adams gave his support to this method, and on February 6, 1788, the Constitution was ratified by a vote of 187 to 168.

In Maryland Martin and Chase led the fight against the Constitution, but it was finally ratified April 26 by a vote of **Maryland,
South
Carolina,
and New
Hampshire
ratify** 63 to 11. In South Carolina the legislature was opposed to the Constitution and there was some difficulty in getting it to call a convention, but public sentiment was favorable and when the convention met the Constitution was ratified after a short discussion by a vote of more than two to one. When the New Hampshire convention met the friends of the Con-

stitution fearing that it would be rejected secured an adjournment until June. When the convention reassembled it ratified after four days' discussion by a vote of 57 to 47.

Nine States had now ratified the Constitution, but without New York and Virginia the new government could not prove a success. In the latter State Patrick Henry and Richard Henry Lee had opposed the whole plan of a federal convention and had refused to go as delegates, while George Mason and Governor Randolph had refused to sign the Constitution after it was drafted. The Virginia convention met June 2, 1788, and all eyes were now turned to the Old Dominion. Patrick Henry led the fight and brought to bear against the Constitution all the force of his fiery eloquence. He was ably seconded by George Mason and William Grayson.

The debate
in the Vir-
ginia con-
vention

Madison succeeded, however, in winning to his side Governor Randolph, and Washington's influence, though he did not attend the convention, carried great weight with the members. Madison was also aided by the popular eloquence of "Light-Horse Harry" Lee and the forceful arguments of John Marshall. The debate finally narrowed down to the question whether the Constitution should be ratified as it stood and amendments subsequently proposed, or whether ratification should be postponed until another federal convention could convene and make the desired changes. The former alternative was finally adopted, and on June 25 the Constitution was ratified by a vote of 89 to 79. It was later learned that New Hampshire had ratified four days earlier, but the action of Virginia was none the less decisive, for it turned the scale in New York.

The fight for the Constitution in New York had been carried on actively in the public prints. The series of papers afterwards collected and published in book form and known as *The Federalist* appeared during the winter of 1787-1788 in the *Independent Journal*, the *Daily* The fight in
New York

Advertiser, and the *Packet*, over the name of "Publius." Jay wrote five of these essays, Madison twenty-nine, and Hamilton fifty-one. Taken as a whole they constitute the most complete commentary on the Constitution and one of the most celebrated treatises on government ever published.

When the New York convention met in June two thirds of the delegates were opposed to ratification. Hamilton, Jay, and Robert Livingston led the fight for the Constitution; Lansing, Clinton, and Melanethon Smith led the fight against it. The vote was finally taken July 26 and stood 30 for ratification and 27 against.

In March, 1788, an irregular vote on the Constitution was taken in Rhode Island in the town meetings, but the Federalists generally refused to take part in this proce-

Rhode
Island and
North
Carolina
refuse to
enter the
new Union

dure, with the result that only 237 votes were cast for the Constitution, while 2708 were cast against it. In North Carolina the convention which was called to consider the Constitution was controlled by the Anti-Federalists and decided to adjourn without taking action, with the hope that other States would do likewise, and thus compel the adoption of the necessary amendments.

Six months after the new government was successfully organized North Carolina came into the Union, but Rhode Island remained out until May 29, 1790, when fearing that her commerce would be excluded by the tariff laws of the Union she reluctantly accepted the Constitution.

In after years the nature of the Union established under the Constitution became the subject of violent political

Nature of
the new
Union

controversy. The States' Rights school held that the Constitution was a compact entered into by sovereign States, while the Nationalists held that the birth of the nation antedated the adoption of the Constitution, that in the very act of offering united resistance to British rule a nation came into being. The former

view was universally held at the time that the Constitution was adopted, and it is impossible to produce a single contemporary utterance explicitly claiming that the people of the United States regarded themselves as a single political body. The Constitution was adopted by the people of the several States acting as thirteen distinct political entities. It thus rested on the same authority as the constitutions of the several States. The men of that day believed that they were dividing the powers of sovereignty between the State governments and the general government.

The Constitution had in it one clause, however, which was destined in time to enable the Federal Government to assert successfully the superiority of its powers. The ^{The germ of} sixth article provides, that, "This Constitution, ^{nationality} and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

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CHAPTER XI

THE PRESIDENCY OF WASHINGTON

ON July 2, 1788, the president of Congress announced that nine States had ratified the new Constitution. Congress then ordered that the States should choose presidential electors on the first Wednesday in January, that the electors should vote for president on the first Wednesday in February, and that the new Congress should assemble in New York on the first Wednesday in March, which happened to be the fourth day of the month. Public sentiment was overwhelmingly in favor of Washington for president so that not even in the first election did the electors really exercise their right of choice, nor have they ever done so since. The electoral system as devised by the framers of the Constitution has always been a useless piece of machinery.

New England was conceded the vice-presidency and the choice fell on John Adams. It was April 5 before a sufficient number of senators and representatives arrived to enable Congress to organize. On the following day the electoral votes were counted and messengers dispatched to notify Washington and Adams of their election. Adams reached New York April 22 and immediately took his seat as presiding officer over the Senate. Washington set out from Mount Vernon on April 16, but his progress was delayed by guards of honor, street parades, receptions, and dinners. Finally on April 30 he was formally inaugurated on the portico of the City Hall of New York.

The first session of Congress was held in New York. From 1790 to 1800 its sessions were held in Philadelphia.

**The first
session of
Congress**

The seat of government was then permanently located in the District of Columbia. Frederick A. Muhlenberg, of Pennsylvania, was the first speaker of the House of Representatives. He was authorized to appoint all committees, a power which was destined in time to raise the speaker to a position of influence second to that of the president. James Madison, of Virginia, who was recognized as the representative of the administration on the floor, proposed as one of the first measures a revenue bill to meet the immediate demands of the government. The bill was modified at the demand of representatives from the Middle States so as to afford incidental protection to articles manufactured in America, and in this form passed the House July 4, 1789.

Three executive departments were established by Congress at its first session: the Department of State, July 27,

**Organiza-
tion of the
first execu-
tive depart-
ments**

1789; the Department of War, August 7; and the Department of the Treasury, September 2. The office of attorney-general was created September 22. This officer was not intended to

rank as a cabinet member, but the importance and nature of his duties soon brought him within that class, though the Department of Justice was not created until 1870.

There was no provision in law for a cabinet, but from the first Washington called the heads of departments into consultation on all important matters and the term cabinet soon came into general use. The American cabinet, however, has never borne much resemblance to the British body from which it derived its name. The British cabinet is responsible for its political acts to Parliament, while the American cabinet is responsible to the president alone and Congress has never established any control over it.

Thomas Jefferson was appointed secretary of state by Washington. As he was then absent from the country as minister to France, John Jay, who had been in charge of foreign affairs under the Confederation, was continued in the office until Jefferson assumed the duties in March, 1790. Alexander Hamilton, who as a mere youth had distinguished himself in the Revolution and who was still only thirty-two years of age, was appointed secretary of the treasury, and General Henry Knox, of Massachusetts, was appointed secretary of war, while Edmund Randolph, of Virginia, accepted the post of attorney-general at the modest salary of \$1500. He was not expected to give all his time to the office.

The Constitution provided that the judicial power of the United States should be vested in one Supreme Court and in such inferior courts as Congress might from time to time establish. There was no question as to the necessity of establishing a Supreme Court, but the Anti-Federalists objected to the creation of inferior courts and insisted that the State courts could attend to minor matters arising under Federal law. This view was, however, overruled and the act of 1789, besides creating a Chief Justice and five associates of the Supreme Court, also established four circuit and thirteen district courts. John Jay was appointed first Chief Justice, but so little were the possibilities of the new court realized that he later resigned the position to become governor of New York.

One other matter of importance was disposed of at this session of Congress. Pledges had been made in several of the State conventions which ratified the Constitution that amendments embodying a bill of rights would be pushed through Congress and submitted to the States as speedily as possible. Patrick Henry and other opponents of the Constitution were now chafing at the delay. Madison finally introduced seven-

Members of
the first
Cabinet

The Judi-
ciary Act of
1789

The first
Ten Amend-
ments

teen amendments, only twelve of which were passed by Congress and only ten ratified by the necessary number of States. These went into effect November 3, 1791.

Congress adjourned the last of September to meet again in January, and during the interval Washington made a

President Washington tours the country tour of New England. His visit was without incident save for the question of etiquette raised by John Hancock, governor of Massachusetts, who let it be known that he would wait for the president to make the first call on him. Washington took a different view, however, of the relative dignity of president and governor, and Hancock conceded the point and paid the first call. In the spring of 1791 the president made a tour of the Southern States, traveling in his own coach. He went as far as Savannah and the journey occupied three months.

Hamilton's financial program When Congress met again in January, 1790, Hamilton submitted the first of his carefully prepared reports on the public credit. His financial scheme as finally set forth embraced four points: the funding of the public debt, the assumption of the State debts incurred in the Revolution, the increase of duties on imports and an excise tax on spirituous liquors, and the establishment of a United States Bank. As already stated, the government of the Confederation had been unable to meet the interest on the Revolutionary debt, which now amounted to \$54,000,000, nearly \$12,000,000 of which was held abroad. Certificates of the domestic debt had fallen to twenty or twenty-five cents on the dollar. Hamilton now proposed to refund this debt and pay it off at par in order to make good the public credit.

As soon as his plan was made known speculators began to buy up the certificates and they rose rapidly in value. Many people, among them Madison, were opposed to paying off this debt at its face value on the ground that specu-

lators and not the original holders of certificates would profit by the measure. Hamilton contended, on the other hand, that the only possible way for the government to establish its credit for the future was to pay its obligations in full. His plan was adopted and the old certificates were exchanged for new bonds bearing interest at six per cent.

Another part of Hamilton's scheme was the assumption of the debts incurred by the States in the Revolution, amounting to about \$25,000,000. His main purpose was to strengthen the Federal government by winning the confidence and support of the financial interests. Virginia was opposed to this measure, as she had already paid off most of her Revolutionary debt through the sale of western lands, and the Southern States, with the exception of South Carolina which still had a large debt, also opposed it. The New England States, on the other hand, favored the measure, while the Middle States were divided, the commercial interests favoring assumption and the agricultural interests opposing it. Madison, who had been in close association with Hamilton, now parted company with him and led the fight against assumption.

Meanwhile there had developed a sharp contest over the location of the national capital. Some favored Philadelphia or Germantown and others a site on the Potomac. Hamilton now proposed to Jefferson, who had just arrived in Philadelphia, that he would secure enough Northern votes for the Potomac site, if Jefferson would get enough Virginia votes for assumption. The details were readily agreed on between Hamilton and Madison at Jefferson's table. The capital was to remain in Philadelphia for ten years and then to be removed to a district ten miles square on the Potomac to be selected by President Washington. State debts to the amount of \$18,271,787 were ultimately paid by the Federal government.

The as-
sumption of
State debts

Location of
the national
capital

**The excise
and the
Whisky
Rebellion**

In order to meet the ordinary expenses of the government and to provide for the enlarged debt Hamilton proposed an increase of duties on imports and an excise on distilled liquors. These measures met with strong opposition, but they were enacted into law March 3, 1791. The excise especially created great dissatisfaction among the people in the western counties of Pennsylvania, Maryland, Virginia, the Carolinas, and Georgia. There was a still on almost every farm and whisky was the one commodity which these frontiersmen could carry over the mountains and get a ready sale for. They naturally regarded the excise as a special tax on themselves.

In western Pennsylvania the payment of this tax was resisted or evaded from the first. Finally in 1794 a fight occurred with one of the collectors, his house was burned by a mob of 600 armed men, and rioters took possession of the streets of Pittsburg with the intention of overawing the Federal garrison. Washington promptly called for 15,000 militia from Virginia, Maryland, Pennsylvania, and New Jersey. General Henry Lee ("Light-Horse Harry") was placed in command of the force and Secretary Hamilton accompanied him. The troops advanced with great formality and deliberation, so that by the time they reached Pittsburg the insurgents had dispersed. A few of the leaders were arrested and sent to the Federal court at Philadelphia for trial, but only two were convicted and these were pardoned. The Federal government had demonstrated its ability and determination to enforce its laws.

The bill embodying Hamilton's plan for a Bank of the United States was passed February 25, 1791. The bank was to have a capital of \$10,000,000, one fifth of which was to be subscribed by the government of the United States. It was to act as a fiscal agent and depository of the government, and its notes were

to be receivable for all debts due the United States. The charter was granted for a period of twenty years.

The bank bill encountered stout opposition and led to the first clear alignment of political parties. As the powers of Congress are enumerated in the Constitution and do not expressly include the right to establish a bank or to charter a corporation, Jefferson and his followers declared that the bank was unconstitutional. The Constitution contains, however, the so-called "elastic clause," which gives Congress the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof." Hamilton held that the right to establish a bank was implied, as a bank was a necessary agency in carrying out the financial powers expressly conferred on the government.

Before signing the bill Washington called for the opinions of the members of the cabinet. Knox upheld Hamilton, while Jefferson and Randolph opposed the measure. Although not clearly convinced of its constitutionality, Washington signed the bill on the ground that where there was an equal division of opinion he would support the officer in whose department the matter arose. Hamilton, it thus appears, believed in a loose construction of the Constitution, while Jefferson believed in a strict construction of that instrument.

Most of the Federalists favored a strong central government and became therefore loose constructionists, while the Anti-Federalists wished to confine the activities of the new government as strictly as possible within the limits of the expressly delegated powers. A number of former Federalists like Madison, however, were perfectly satisfied with the powers conferred

Origin of
parties
under the
Constitu-
tion: loose
and strict
construc-
tionists

Federalists
and
Republicans

on the new government by the Constitution and therefore sided with the strict constructionists. The name Anti-Federalist was no longer applicable after the adoption of the Constitution, so the new party formed by Jefferson became known as the Democratic or Republican party because it stood for popular rights. When the term democrat came into disrepute on account of the excesses of the democrats of France during the Reign of Terror, it was discarded by Jefferson and his followers and they took the term Republican.

Hamilton and his followers retained the name Federalist because of the prestige which still clung to it. They believed in a government based on the upper classes and in close alliance with the financial and commercial interests of the country. The Republicans were especially strong in the South and West, where there were numbers of small farmers. The larger planters of South Carolina were mostly Federalists, but through the influence of Madison and Jefferson Virginia became almost solidly Republican. Patrick Henry's old antagonism to Madison and his dislike of Jefferson finally drove him into the Federalist party.

John Fenno, editor of the *United States Gazette*, was patronized by Hamilton and moved with the government from New York to Philadelphia. The Republicans felt the need of an opposition paper and Madison, Burr, and Henry Lee suggested to Jefferson the name of Philip Freneau, a well-known poet, whom they had known in their student days at Princeton. Jefferson gave him a position as translating clerk in the Department of State at a salary of \$250 a year, and in 1791 he established in Philadelphia the *National Gazette*. Hamilton and his policies were severely criticized by Freneau and even the president was not spared.

In July, 1792, Hamilton contributed two anonymous letters to Fenno's paper charging Jefferson with giving

Freneau a government position in order that he might abuse the administration. Freneau replied that his rival's government printing more than offset his own small salary. Relations between Hamilton and Jefferson became greatly strained and Jefferson offered to resign, but Washington refused to accept his resignation and wrote letters to both Hamilton and Jefferson with a view to reconciling them.

Washington wished to retire at the close of his first term, but Jefferson's party had become so strongly organized that the Federalist leaders feared he would defeat Adams, whom they had thought of nominating. Hamilton, therefore, urged Washington to accept a second term. This was clearly the wish of the people generally, and Jefferson himself advised Washington to accede to the popular demand. He was unanimously re-elected. Adams, who was opposed by George Clinton for the vice-presidency, received 77 electoral votes to Clinton's 50. The Republicans, however, carried the House of Representatives.

Reëlection
of Wash-
ton, 1792

From the beginning of his first administration Washington was confronted with foreign problems of a serious character. Great Britain still held Detroit, Mackinaw, Fort Erie (Buffalo), Niagara, Oswego, and other forts in the Northwest which she had promised in the treaty of 1783 to surrender. Her excuse for not carrying out the treaty was that the United States had failed to pay the debts due British merchants, and to satisfy the claims of the loyalists. Americans claimed, on the other hand, that the British troops had taken away thousands of slaves in direct violation of the treaty. Relations were now further strained by the open sympathy expressed in America with the new French Republic which was soon at war with England.

Meanwhile the Indians north of the Ohio River, encouraged secretly by the British garrisons in the disputed forts,

Foreign
affairs

were actively resisting the advance of white settlers. In 1789 General St. Clair was appointed governor of the Northwest Territory, and in October, 1791, he advanced with 2000 men from Fort Washington at Cincinnati against the Indians, but he was driven back with heavy losses. It is said that when Washington learned of the disaster he flew into a violent rage. After a tedious investigation St. Clair was acquitted, but resigned his military command.

In 1794 Anthony Wayne, who had succeeded him, defeated a large body of Indians at the battle of Fallen Timber on the Maumee River two miles from a British outpost. A year later the Indians, having learned of the signature of the Jay treaty and of Great Britain's intention of evacuating the posts, signed with Wayne the treaty of Greenville, which established a definite boundary between the Indians and the whites and opened to settlers nearly all of the present State of Ohio.

The treaty of 1783 fixed the southern boundary of the United States at the thirty-first parallel. At the same time both East and West Florida had been ceded by Great Britain to Spain. Spain now claimed the whole of the British province of West Florida which had extended as far north as $32^{\circ} 28'$ and embraced the southern half of the present States of Alabama and Mississippi. Spain also denied the right of the United States to the free navigation of the Mississippi River. This right had been granted to England in 1763 and granted by England to the United States in 1783. The closure of the river to Americans caused great dissatisfaction and excitement in Kentucky and Tennessee.

Spain also took the Creeks and Cherokees under her protection and denied the right of white traders to come among them without Spanish licenses. The settlers in Tennessee were troubled by Indian raids and took matters into their

War with
the Indians
north of the
Ohio

Spain closes
the Missis-
sippi to
Americans

own hands. In 1793 Sevier led a raid against the Cherokees as far as Rome, Georgia, and in 1794 Robertson marched into the Chicamauga country. These measures put a stop to the Indian disturbances in the Spanish Southwest, and in 1795 the United States and Spain came to an agreement. General Thomas Pinckney succeeded in negotiating a treaty in which Spain recognized the thirty-first parallel as the boundary from the Mississippi to the Appalachicola, gave Americans the right to navigate the Mississippi, and permitted them to deposit goods at New Orleans pending their transference to ocean-going vessels.

The most difficult problem that Washington had to face during his term of office was that presented by the war which broke out between England and France in 1793. The French Revolution had been regarded with sympathetic interest by the great body of the American people until the execution of Louis XVI in January, 1793. From this time on public sentiment was divided. The Federalists condemned the course of events in France and shrank from all political connection with the new government, while Jefferson and his followers still expressed confidence in the ultimate success of the new Republic. The United States was embarrassed by the treaties of 1778, in which we guaranteed to France her possessions in the West Indies and promised to admit French prizes to American ports in time of war. Hamilton contended that these treaties were no longer binding, as the government which had signed them had been overthrown. Jefferson, on the other hand, urged that the treaties were still in force and that the United States should live up to its obligations.

The French Revolution
and the out-break of war
between
England and
France

Washington agreed with Jefferson that the treaties were still in force, but he held that the clause in regard to the West Indies did not apply to an offensive war such as France

was waging. He also decided that he would have to admit French prizes, but that American ports could not be used as a base for fitting out such prizes for service against England. On April 22, 1793, he issued the now famous proclamation of neutrality, laying down a principle of conduct which has guided the policy of the United States ever since.

Writing a hundred years later, W. E. Hall, a leading English authority on international law, says: "The policy of the United States in 1793 constitutes an epoch in the development of the usages of neutrality. There can be no doubt that it was intended and believed to give effect to the obligations then incumbent upon neutrals. But it represented by far the most advanced existing opinions as to what those obligations were; and in some points it even went further than authoritative international custom has up to the present time advanced. In the main, however, it is identical with the standard of conduct which is now adopted by the community of nations."

Two weeks before the proclamation of neutrality was issued "Citizen" Genêt landed at Charleston, South Caro-

Genêt's mission, 1793 lina, with a commission as minister of the newly established French Republic. He was determined to lead the United States into war with

England and at once began issuing commissions to American privateers. His journey northward was one continuous series of demonstrations. He entered Philadelphia May 16, escorted by thousands of people. Washington was greatly provoked at his conduct and received him with cold formality. Genêt complained openly of the attitude of the president and expressed his determination to appeal to Congress or to the people. Jefferson explained to him fully the course which the government had decided to pursue, but in express violation of this understanding Genêt sent out the *Little Sarah*, a prize fitted out as a privateer. Washington ex-

claimed, "Is the minister of the French Republic to set the acts of this government at defiance with impunity, and then threaten the Executive with an appeal to the people?" At the request of the American minister in Paris Genêt was recalled, but as the Robespierre faction was now in power, he was afraid to return to France and settled down quietly in New York, where he married the daughter of Governor Clinton and lived to a ripe old age.

Genêt's conduct brought the country to the verge of war with England. In declaring their independence the States of the American Union sacrificed the extensive trade with the British West Indies which as colonies they had enjoyed. In the treaty of 1783 Great Britain refused to make any concessions, and the loss of this trade was a serious blow to American commerce, which found practically every port on this continent closed to it. When, therefore, at the beginning of the war with England in 1793, France threw open to neutrals the trade with her West India colonies, American ships were quick to take advantage of it. Great Britain promptly ordered the seizure of all ships engaged in this trade and later included all ships carrying the property of French citizens. These orders were in violation of the principle that free ships make free goods, but England had never recognized that rule.

Hundreds of American ships were seized under the most irritating circumstances. Jefferson recommended retaliatory legislation against British commerce, but as seven eighths of our imports were British the merchants wished to avoid a breach with England. The retention of the posts in the Northwest and the impressment of American seamen constituted other grievances and the two countries seemed on the verge of war, when at the instance of Pinckney, the American minister at London, the order with reference to the seizure of ships was modified so as to release the trade

Strained
relations
with
England

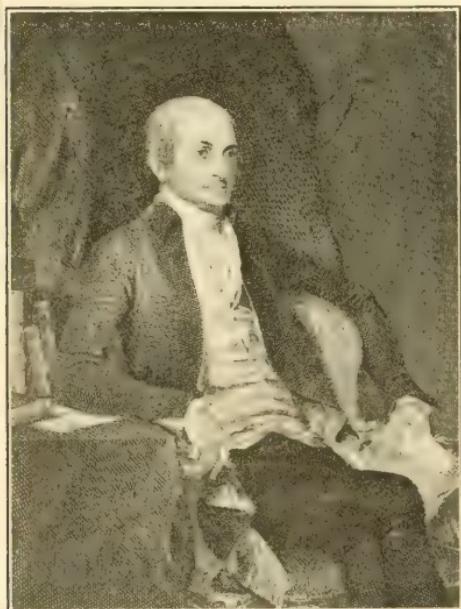
between the United States and the French West Indies. Ships carrying goods from the French colonies to European ports were still liable to seizure.

Meanwhile Jay was sent on a special mission to England, with instructions to secure the surrender of the posts in the Northwest, to arrange for the settlement of claims arising out of the seizure of American ships, and to negotiate a commercial treaty permitting American ships to engage in trade with the British West Indies. After four months of negotiation a treaty was finally signed November 19, 1794.

The Jay
treaty,
November
19, 1794

/It provided for the surrender of the posts in the Northwest, for a joint commission to settle the question of British debts and the claims for the seizure of American ships, and for determining the boundary between Maine and Canada.

Article XII permitted American ships of not more than seventy tons' burden to trade with the British West Indies, provided they did not carry



JOHN JAY.

to Europe either directly or from the United States any molasses, sugar, coffee, cocoa, or cotton. This arrangement raised a storm of indignation and Jay was burned in effigy in various parts of the country, while Hamilton was stoned when he undertook to speak in his defense. The West India clause was stricken out by the Senate and

the rest of the treaty ratified by a bare two-thirds vote June 24, 1795.

During his first term Washington had tried to administer the government without recognizing the existence of political parties. He had called to his aid men of various shades of political belief. Shortly after the beginning of his second term Jefferson resigned, and two years later Edmund Randolph withdrew under a cloud. The cabinet was almost entirely reconstituted and the positions filled with Federalists, but it was with great reluctance that Washington gave up his nonpartisan idea.

Close of
Washington's ad-
ministration

At the opening of the campaign in 1796 he let it be known that he would not accept a third term, and later issued to the public his famous Farewell Address, in which he bequeathed to his countrymen as a political legacy the policy of avoiding European entanglements. He retired to Mount Vernon wearied and worn by the incessant attacks of his critics. He had again carried the country through a trying period and had established the new government on a firm and enduring basis. There had been a return of prosperity, the population was growing rapidly and extending westward, and three new States had been added to the Union: Vermont in 1791, Kentucky in 1792, and Tennessee in 1796.

Washington
refuses a
third term

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CHAPTER XII

FEDERALISTS AND REPUBLICANS

WHEN Washington announced in 1796 that he would not accept a third term the Federalists put forward John Adams

and General
Thomas Pinck-
ney as candi-
dates for the

John Adams
elected
president,
1796

presidency and vice-presidency, while the Republicans agreed on Jefferson and Burr. Hamilton was opposed to Adams and suggested to some of the Federalist electors that they withhold their votes from Adams so as to give Pinckney the presidency. Under the method provided by the Constitution there were no distinct ballots for vice-president, but each elector voted for two names for president,



JOHN ADAMS.

and the one receiving the highest number of votes became president and the one receiving the next highest became vice-president.

Adams's friends learned of Hamilton's scheme, however, and withheld a number of votes from Pinckney, with the result that Adams received 71 votes, Pinckney 59, and Jef-

ferson 68. Thus Adams became president and Jefferson, his opponent, vice-president. Adams was a man of high character and a sincere patriot, with a wide experience in public affairs both at home and abroad, but he was cold, tactless, and lacking in many of the essential elements of political leadership.

The Jay treaty had caused deep offense in France and greatly embarrassed Monroe, who had assured the French government that no such terms would be accepted. Shortly before the close of Washington's administration Monroe was recalled and C. C. Pinckney appointed to succeed him. The French government, not liking the attitude of the Federalists, refused to receive Pinckney and finally ordered him to leave France. Many of the Federalists now demanded war, but Adams and Hamilton realized that the country was unprepared, while the Republicans insisted that there was no ground for war, and that strained relations were due to the mismanagement of the Federalists.

Adams was determined if possible to reëstablish diplomatic intercourse, and in the autumn of 1797 sent a mission to France consisting of C. C. Pinckney, John Marshall, and Elbridge Gerry. When the commissioners arrived in Paris Talleyrand, who was foreign minister, delayed receiving them and when they grew impatient at their treatment they were informed through secret agents, designated in the dispatches which were sent to the president as X, Y, Z, that money was what was wanted and that if they would pay substantial sums to Talleyrand and his associates, they would be recognized and their business attended to. The spirit of Pinckney's emphatic reply, "No, no, no, not a sixpence," was caught by some happy phrase-maker in America, who gave currency to it in the form, "Millions for defense, but not a cent for tribute." This phrase became the watchword of the day.

Strained
relations
with France

The X, Y, Z
affair

As soon as the "X, Y, Z" dispatches were received the president announced to Congress that he would never send another minister to France without assurances that he would be "received, respected, and honored as the representative of a great, free, powerful, and independent nation." The publication of the dispatches created intense feeling and the recommendations of the president were promptly enacted into law by Congress.

Preparations
for war and
naval re-
prisals,
1798-1800

The Department of the Navy was created, the construction of a large number of ships was ordered, the seizure of French ships was authorized, the treaties of 1778 were repealed, and the organization of an army of 10,000 men was begun. Washington was appointed to the chief command and accepted on condition that Hamilton be appointed second in command. As the United States could not fight France on land, Hamilton wished to coöperate with England in an attack on the colonies of Spain, France's ally. He proposed to annex Florida and New Orleans to the United States and to help to establish the independence of Spanish America.

Adams, however, did not favor this scheme, and hostilities were confined to the sea. In a little over two years United States ships captured over eighty French vessels, most of them merchantmen or privateers, though among them were a few ships of the French navy, such as *L'Insurgente*, which was captured by Captain Truxton of the *Constellation* after a regular engagement lasting over an hour. Notwithstanding these sea fights neither country declared war. Meanwhile Napoleon had come into power, and in 1800 he authorized a treaty which reëstablished diplomatic relations and adjusted some of the differences.

In the midst of the preparations for war with France the Federalists took an unwise advantage of their temporary popularity by attempting to crush out all opposition on the

part of the Republicans. In June, 1798, Congress passed the Alien Act, which gave the president power to expel from the country all aliens whom he considered dangerous to the peace and safety of the United States, or who he had reason to think were concerned in any treasonable machinations against the government.

The Alien and Sedition Acts, 1798 Two weeks later the Sedition Act was passed, imposing a heavy fine and imprisonment on any one who should conspire to oppose any measure of the government, or who should write or publish any false, scandalous, or malicious writing against the government, either house of Congress, or the president of the United States, with intent to defame or bring them into disrepute. Under this act some ten editors were convicted, fined, and imprisoned.

The Kentucky and Virginia resolutions of 1798 It was soon evident that the Federalists had gone too far, and Jefferson prepared a set of resolutions, protesting against the Alien and Sedition Acts, which were submitted to some of his friends in the Kentucky legislature and passed by that body November 16, 1798. After defining the Constitution as a compact between sovereign States and the powers of

Congress as delegated and limited, the resolutions declared, "that whensover the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force." In conclusion the resolutions appealed to the other States to unite with Kentucky in requesting the repeal of the objectionable acts at the next session of Congress.

Jefferson's resolutions were revised by Madison and introduced in the Virginia legislature by John Taylor. These resolutions, which were passed December 24, 1798, were more moderate than those of Kentucky, but they expounded with equal clearness the compact theory of government. The appeal of Virginia and Kentucky met with an unfavorable response from all the Northern States. While these

replies denied that an individual State could pass judgment on the extent of the powers granted to Congress and pointed to the Supreme Court as the constitutional arbiter of that question, none of them took exception to the view that the Constitution was a compact. As the Alien and Sedition Acts were to expire by limitation before the close of Adams's administration, no further action was taken by the Republicans.

The Federalists had been successful in the congressional elections of 1798 and they fully expected to reelect Adams in 1800, but their party was badly divided between the Adams and Hamilton factions and there was a strong popular reaction against many of their policies. Jefferson was again the candidate of the Republicans and Aaron Burr was selected for the vice-presidency. The latter had gained control of New York and during the campaign he caused serious embarrassment to the Federalists by securing and publishing a circular letter which Hamilton had written to his political friends condemning Adams in strong terms.

The presi-
dential cam-
paign of
1800

When the electors were chosen it was found that Jefferson and Burr each had 73 votes, Adams, 65, and C. C. Pinckney, the Federalist candidate for vice-president, 64. As there was no choice the House of Representatives, which had a Federalist majority, had to choose between Jefferson and Burr. Some of the Federalists now planned to play a trick on the Republicans by making Burr president and Jefferson vice-president, but Hamilton considered Burr, who was his rival both in New York politics and at the bar, a dangerous man and preferred Jefferson as the lesser of two evils. After thirty-six ballots Jefferson was finally chosen. As a result of this contest the Constitution was modified by the Twelfth Amendment, which provided that thereafter the electors should vote for president and vice-president on separate ballots. This amendment became effective September 25, 1804.

The election of Jefferson brought about a complete revolution in government and polities. It represented the triumph of democracy over the efforts of the Federalists to keep the control of affairs in the hands of the wealthier classes. Republican simplicity was to take the place of the grave formality and old-world ceremony with which the Federalists had tried to hedge in the executive.



THOMAS JEFFERSON.

company of militia from Charlottesville, took the oath of office, and delivered his carefully worded inaugural address.

The new president was a man of marked individuality. With the enthusiasm of the idealist he combined in large measure the shrewdness of the practical politician. With few of the gifts of the public speaker, he was in private conversation convincing and persuasive, and no president ever held more complete sway over his associates or over Congress. His intellectual versatility was remarkable. Little that was worthy of note in science or invention, or in the field of religious, social, or political philosophy, escaped the range of his keen intellect. As a writer he had no equal in America,

and to the present day the writings of no other American statesman have been so widely quoted.

Jefferson believed in an economical administration of the government and one of his first tasks was to cut off all unnecessary expenditures. His secretary of the treasury, Albert Gallatin, was one of the ablest financiers who ever held that office, and his administration was surprisingly successful. Under the Federalists the national debt had increased to about \$80,000,000. By rigid economy, which fell most heavily on the army and navy, and with the aid of increased revenues, Gallatin managed to pay off large portions of the debt and to show each year a substantial surplus in the treasury. Notwithstanding the \$15,000,000 of bonds issued for the payment of Louisiana, by the close of 1807 the debt had been reduced to \$69,500,000.

Reduction of
expendi-
tures and of
the national
debt

The question of patronage is always a difficult problem for a new administration and especially so when there is an entire change of party. Adams had not only confined his appointments strictly to Federalists, but he had spent the last hours of his administration in appointing Federalists to new offices created by Congress during the last days of its final session. A judiciary act was hurried through creating a number of new Federal courts and John Marshall, the secretary of state, and President Adams were engaged in making out and signing commissions for the new judges, attorneys, and marshals until a late hour of the night preceding Jefferson's inauguration.

The civil service
The civil service

Marshall did not have time to deliver the commissions and left them in his office to be forwarded by his successor, James Madison, but Jefferson took the responsibility of withholding the commissions for these "midnight appointments" in spite of the protests of the new judges that they had been confirmed by the Senate and could not be constitutionally deprived of their positions except by impeachment.

Jefferson did not remove Federalist officeholders except where charges of incompetence or partisanship were made, but when vacancies occurred he appointed Republicans to fill them, and announced that he would continue this policy until the public offices were more evenly divided between Federalists and Republicans.

Jefferson not only withheld the commissions from the newly appointed Federal judges, but he got Congress to repeal the act establishing the new courts. In this he was clearly right, for it was more than half a century before it was found necessary to increase the number of Federal courts. The judiciary, filled with Federalists appointed for life, was nevertheless a thorn in Jefferson's side. It was the one branch of the government which had not been affected by the revolution of 1800. John Marshall, the leading Federalist of Virginia, had just been appointed Chief Justice by Adams, and on every debatable constitutional question his views were opposed to Jefferson's.

The Republicans passed an act limiting the Supreme Court to one term annually, and a little later instituted impeachment proceedings against two judges. The first case was that of Judge Pickering of New Hampshire, who was tried before the Senate in March, 1804. He was found guilty of misconduct on the bench, due to either drunkenness or insanity, and was removed from office. A little later proceedings were instituted against Samuel Chase of Maryland, one of the justices of the Supreme Court of the United States, who in a political harangue to the grand jury at Baltimore declared that the government was sinking into a mobocracy. John Randolph, who conducted the impeachment, managed the case badly and Chase was acquitted, but henceforth Federal judges conducted themselves with greater circumspection.

**Repeal of
the Judi-
ciary Act
and im-
peachment
of Pickering
and Chase**

Jefferson was opposed to a large navy and in order to reduce expenditures he proposed to keep the larger ships lying idle in the eastern branch of the Potomac, but he was soon compelled to send a squadron to the Mediterranean. The Barbary powers, as Morocco, Algiers, Tunis, and Tripoli were called, had long been in the habit of levying tribute on the commerce of the Mediterranean, and the powers of Europe had tamely acquiesced. The United States had been compelled to do likewise and was at this time paying an annual sum of \$83,000 to the ruler of Tripoli. This did not satisfy him, however, as he complained that the rulers of the other Barbary states were receiving relatively more. In May, 1801, he cut down the flagstaff over the American consulate at Tripoli.

The war
with Tripoli,
1801-1804

Meanwhile Commodore Richard Dale had been sent to the Mediterranean with instructions to dismantle any corsair which interfered with American commerce. In August one of his ships overhauled a Tripolitan cruiser, threw her guns into the sea and allowed her to proceed home. He also visited Algiers and threatened dire punishment in case of further interference with American commerce.

In 1803 Commodore Edward Preble was sent out with a fleet, and one of his ships, the *Philadelphia*, ran aground at the entrance of the harbor of Tripoli. She was boarded by the enemy, and Captain Bainbridge and his crew were taken prisoners. Later the *Philadelphia* was floated and taken into the harbor. Lieutenant Stephen Decatur entered the harbor in the *Intrepid* with a crew of seventy-five men, boarded the *Philadelphia*, fired her with combustibles which he had brought with him, and made his escape amidst a storm of shot from the fort and the ships in the harbor. In 1804 Preble bombarded Tripoli and made the Pacha promise not to demand any more tribute. The Barbary states did not

The affair of
the *Philadel-*
phia

renew their depredations on American commerce until the War of 1812.

One of Napoleon's dreams was the reëstablishment of a French empire in America. By the secret treaty of San Ilde-

Napoleon acquires Louisiana from Spain, 1800, and undertakes the reconquest of Santo Domingo, 1802

fonso, signed October 1, 1800, he had forced Spain to agree to cede Louisiana back to France. The terms of the treaty were to be kept secret until Napoleon was ready to take over the province, but within six months Jefferson heard rumors of the cession.

During the interval of peace with England following the treaty of Amiens in 1801, Napoleon turned his attention to America and as a preliminary step to reëstablishing the French power in that quarter he undertook the resubjugation of the French colony of Santo Domingo. Toussaint L'Ouverture, a full-blooded negro, dubbed by Napoleon the "gilded African" and by others the "Black Napoleon," had revolutionized that colony in 1795 and had since successfully defied the authority of France. He was now imitating step by step the military despotism which the First Consul was establishing in France. In January, 1802, Napoleon's brother-in-law, General Leclerc, landed with an army of 10,000 men and undertook the reconquest of the colony. Half a million negroes opposed the French and yellow fever also attacked them. General Leclerc and hundreds of his soldiers died and the enterprise had to be abandoned.

Jefferson opposes French occupation of Louisiana and starts negotiations for purchase of New Orleans and West Florida

Meanwhile the Spanish governor of Louisiana had withdrawn the right of deposit at New Orleans, and excitement ran high in Tennessee and Kentucky. Jefferson instructed Robert R. Livingston, his representative at Paris, to open negotiations for the purchase of New Orleans and West Florida, stating that the cession of New Orleans to a powerful nation like France would

inevitably lead to friction and conflict, and adding that from the day France takes possession "we must marry ourselves to the British fleet and nation." In December, 1802, Jefferson asked Congress for an appropriation, and \$2,000,000 was promptly given him "to defray any expenses in relation to the intercourse between the United States and foreign nations." James Monroe was immediately appointed minister extraordinary to France and Spain and sent to Paris to join Livingston. Jefferson also informed the British minister that the United States would never surrender its right to the free navigation of the Mississippi, that if Monroe was not successful at Paris he might have to go to London, and that if the United States were compelled to resort to the sword they would throw away the scabbard.

The failure of the expedition to Santo Domingo and the prospect of an early renewal of the war with England now made Napoléon as eager to get rid of Louisiana as he had been a few months before to acquire it. He came to the conclusion that the best thing to do with the province was to give it to the United States, so as to make that country a serious rival of Great Britain. Livingston, who had been negotiating without success for weeks for the purchase of New Orleans and West Florida, was greatly surprised when on April 11, 1803, Talleyrand suddenly asked him whether the United States wished to have the whole of Louisiana. He replied that while the United States wanted only West Florida and New Orleans, he would think the matter over and consult Monroe, who was expected in Paris in a few days. Monroe arrived the following day and the terms of the cession were speedily agreed upon.

Napoleon
suddenly
offers to sell
the whole of
Louisiana to
the United
States,
April, 1803

The purchase of over 900,000 square miles of land, a territory equal in extent to the original area of the United States, without the knowledge or authorization of the president, was the most serious responsibility ever assumed by

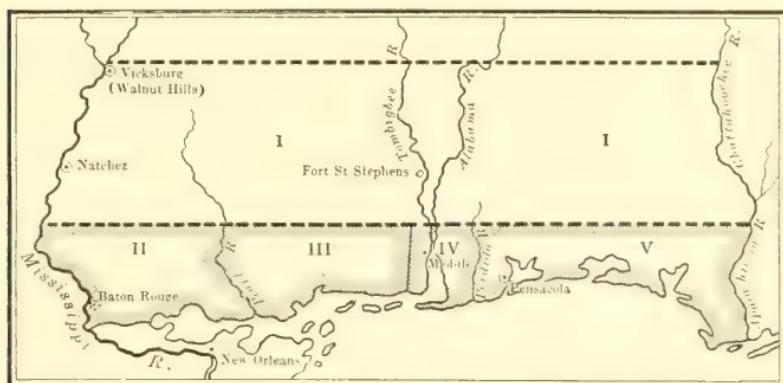
any two American diplomats, but Livingston and Monroe rose nobly to the occasion. Marbois, the French minister who conducted the final negotiations, proposed as the purchase price 120,000,000 francs. Napoleon had authorized him to sell for 50,000,000. The sum finally agreed on was 80,000,000 francs, or \$15,000,000. Of this sum 60,000,000 francs were to be paid to France and 20,000,000 to be distributed by the United States to American citizens who had claims against France.

When Jefferson received the dispatches informing him of the unexpected turn the negotiations had taken, he was

**Ratification
of the
Louisiana
treaty** quick to grasp the immense importance of the opportunity which had come to the United States, but he was also embarrassed by the fact that there was no clause in the Constitution authorizing the acquisition of territory. As he was a strict constructionist he determined to secure the passage of an amendment expressly authorizing the purchase, but on being urged by Livingston to close the transaction as soon as possible lest Napoleon should change his mind, he abandoned the idea of an amendment and sent the treaty to Congress, asking the Senate for its prompt ratification and the House for the necessary appropriation. It was favorably acted upon by both bodies, the principal opposition coming from the New England Federalists.

The treaty did not define the boundaries of the ceded territory, but simply described it in the language of the **Boundaries
of Louisiana** treaty of San Ildefonso as "the colony or province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it." The old French province of Louisiana had included West Florida and the Spanish province had included Texas. Did the United States acquire a valid title to both these territories? This question perplexed the public men of that day and it has perplexed the historians ever since.

The French inhabitants of West Florida wished to come in as part of Louisiana, and in 1810 they drove the Spanish garrison from Baton Rouge, and President Madison annexed the territory west of Pearl River to Louisiana. Three years later he ordered General Wilkinson to occupy the Mobile district. At the time that these events took place the King



WEST FLORIDA CONTROVERSY, 1783-1819.

- I. Territory added to West Florida by British proclamation of 1767; in dispute between United States and Spain, 1783-1795.
- II. Claimed by the United States as part of the Louisiana Purchase; occupied in 1810; incorporated in State of Louisiana in 1812.
- III. Claimed by the United States as part of the Louisiana Purchase; occupied in 1811; incorporated with Mississippi Territory in 1812.
- IV. Claimed by the United States as part of the Louisiana Purchase; occupied in 1813.
- V. Invaded by Jackson in 1814 and in 1818; ceded with rest of Florida by the treaty of 1819.

of Spain was a prisoner in France, and Napoleon's brother Joseph, who occupied the throne, was not recognized by the United States, so that there was no Spanish minister in the United States with whom President Madison could negotiate. The boundaries of Louisiana were finally adjusted in the Florida treaty of 1819.

Wishing to learn something about the western and northern limits of the vast region which he had acquired, President Jefferson sent out an exploring party of forty-five men under

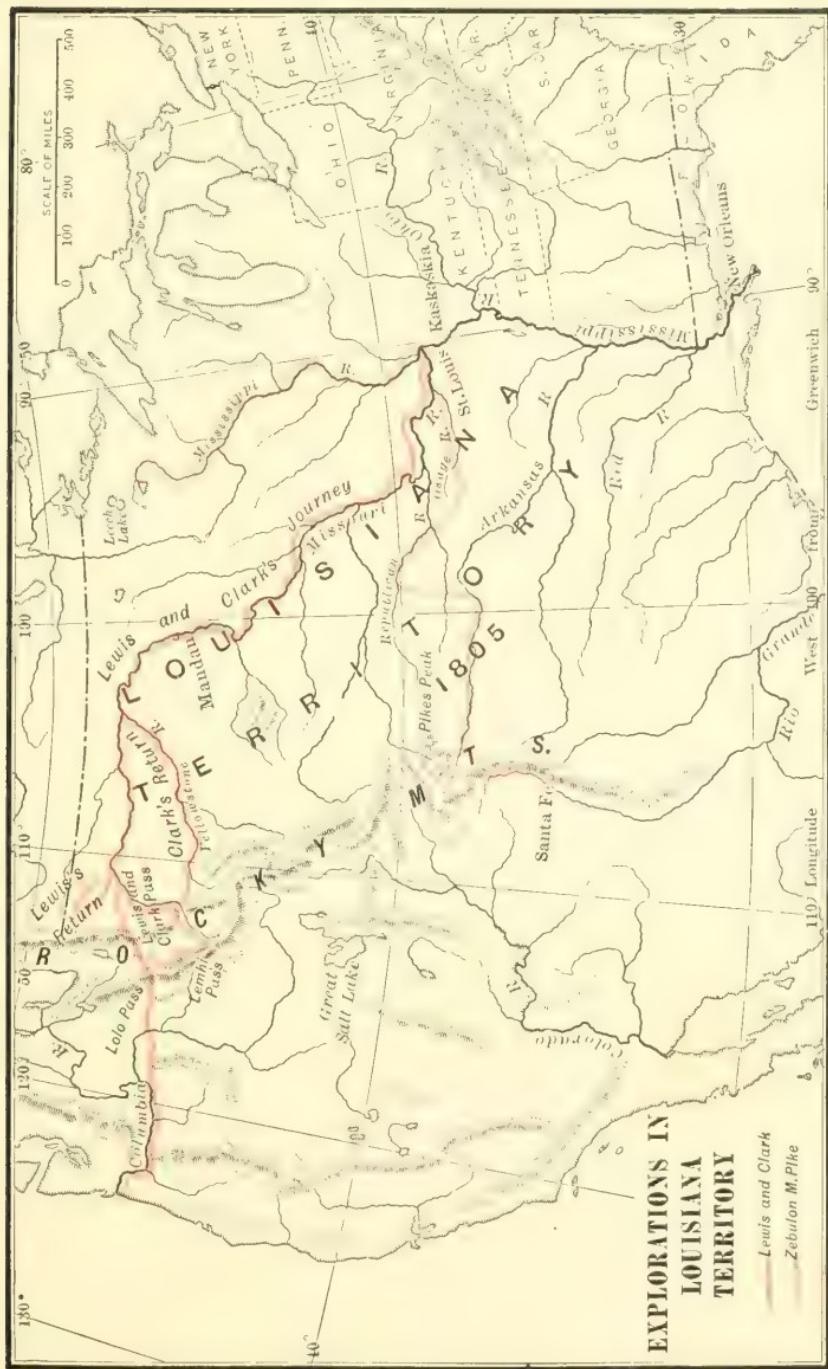
the command of his private secretary, Meriwether Lewis, and William Clark, a younger brother of the more famous George

**Expedition
of Lewis and
Clark, 1804-
1806** Rogers Clark. They left St. Louis in May, 1804, and proceeding with difficulty up the Missouri River spent the first winter in camp at Mandan, near the present site of Bismarck, North Dakota.

Setting out again as early as the season would permit, they reached the falls of the Missouri, where they left their boats and heavier supplies, and after great suffering and privation they finally succeeded in crossing the continental divide and made their way down the Columbia River to the Pacific, which they sighted November 7, 1805. Failing to meet any of the trading vessels that annually visited this coast, they spent the winter at the mouth of the Columbia and in March started on the return journey. They arrived at St. Louis in September, 1806.

This was the first recorded journey ever made across the continent, and the expedition was the basis of our later claim to the Oregon country. The journal of Lewis and Clark is one of the most fascinating records of adventure ever published. Before the return of Lewis and Clark Lieutenant Zebulon Montgomery Pike set out on a similar expedition to the Southwest. He explored the mountains of Colorado and marched south to the Rio Grande, where he fell into the hands of the Spaniards, but was escorted to the American frontier and released.

Jefferson's first administration was an unqualified success and met with such widespread approbation that he was reëlected with little opposition. The Federalist candidates, C. C. Pinckney and Rufus King, received only 14 electoral votes, while Jefferson and George Clinton received 162. But Jefferson's triumphs were over. His second administration was clouded by factional fights in his own party and by outrageous depredations on American commerce by both England and France, which he was unable to prevent or to avenge.



**EXPLORATIONS IN
LOUISIANA
TERRITORY**

In 1800 the Republicans had been united, but now the breach between John Randolph and Madison caused Jefferson much uneasiness. Randolph had begun his open attack on Madison in 1803 when he opposed a bill advocated by the latter, which provided for the payment of the Yazoo claims. Before surrendering to the Federal government her claims to Mississippi, Georgia had made conflicting grants of lands on the Yazoo, and some of the claimants now tried to get Congress to compensate them. Randolph, who was now at the height of his power, poured forth the vitriol of his wrath against Madison and other advocates of the Yazoo bill, and for years prevented its passage. Madison was, however, backed by President Jefferson. The political result was that

Randolph's friend Nathaniel Macon, of North Carolina, was defeated for the speakership, which he had held for years, and Randolph was removed from the chairmanship of the committee on ways and means.

In July, 1804, Aaron Burr killed Alexander Hamilton in a duel. Already discredited by the Republican party, he was now generally regarded with abhorrence and his political future seemed ruined. Returning to Washington he continued to preside over the Senate until the expiration of his term March 4, 1805, after which he traveled extensively through the West.



ROBERT FULTON.

The Burr
conspiracy,
1806

The following year Burr began collecting men and supplies on an island in the Ohio River owned by an eccentric Irishman named Blennerhassett, and later proceeded down the Mississippi with an armed expedition. What his real purpose was has never been satisfactorily explained. To many of his supporters in the West he represented it as an attack on Mexico; to British and Spanish officials he declared his intention of wresting Louisiana from the Union and organizing a new government in the Southwest, but neither of these powers would give him the aid he solicited. At Natchez the expedition was stopped by the commander of the garrison and Burr was later tried for treason before the United States Circuit Court sitting at Richmond. Chief Justice Marshall presided at the trial and John Randolph was foreman of the jury. In spite of Jefferson's efforts to secure a conviction Burr was acquitted. Burr lived abroad for several years, and then returned to New York, where he died in obscurity in 1836.

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CHAPTER XIII

THE STRUGGLE FOR NEUTRAL RIGHTS

ENGLAND and France went to war in 1793 and hostilities continued, except for a brief period following the peace of Amiens, until 1815. In this contest the majority of the powers of Europe were involved the greater part of the time on one side or the other, so that upon the United States mainly devolved the task of upholding neutral rights. Early in the struggle France opened her West Indian ports to American vessels. This action was in conflict with the so-called "Rule of 1756," which had been announced by England during the Seven Years' War, and which was, in effect, that when a country closed its colonial ports to foreign vessels in time of peace it could not open them to neutral commerce when engaged in war.

Shortly after the outbreak of hostilities in 1793 England again announced her intention of enforcing this rule. American ships, however, devised a means of evading it. They adopted the practice of carrying the products of the French, Spanish, and Dutch West Indies to a United States port, unloading the cargo, paying the duties, taking out new clearance papers, and reshipping to a European port. When several of the first ships engaged in this practice were captured and taken before the English admiralty courts they were released, but after the renewal of the war in 1803 the British government determined to deal more strictly with the question of neutral commerce and the admiralty courts ruled accordingly. In the case of the *Essex* July, 1805, Lord Stowell held that if the products of the French West Indies were shipped to the United States with the intention

of being immediately reshipped to Europe, the cargo was liable to seizure. This rule became known as the doctrine of *continuous voyage*, which in a modified form became of great importance in the American Civil War, in the Boer War, and in the Great European War, which began in 1914.

In 1806 England declared a blockade of the coast of Europe from the River Elbe to Brest, to be strictly enforced, however, only between Ostend and Havre. In November Napoleon issued the famous Berlin Decree, declaring the British Isles in a state of blockade. This was purely a fictitious or paper blockade, since Napoleon's naval forces had been completely crushed at the battle of Trafalgar and an actual blockade of England was utterly absurd.

In January, 1807, the British government retaliated by an Order in Council which prohibited the coasting trade between ports under the control of France. A later order issued in November of the same year declared an absolute blockade of all European ports from which British ships were excluded. In December Napoleon issued the Milan Decree by which every ship which submitted to British search or which touched at a British port was ordered to be seized.

These decrees and orders were directed mainly at the commerce of the United States. An American ship found it difficult to reach a European port without submitting to British search. If, on the other hand, it stopped at a British port and took on British goods, the only condition on which England would allow it to proceed, it rendered itself liable to seizure as soon as it reached a European port.

Instead of stationing her ships before the ports of Europe and maintaining an actual blockade, England found it easier to station them outside of the principal American ports and search American vessels as they started on their voyages. Thus scores of American ships were searched and seized within sight of their own shores.

French
decrees and
British
Orders in
Council,
1806-1807

Search and
impress-
ment

Incidentally the searching officers were instructed to inspect the crews of American merchant vessels and seize any deserters from the British navy or any British-born subjects whom they might find aboard. England held the doctrine, once a British subject always a British subject, and denied absolutely the right of expatriation. Many British born subjects who had become naturalized in the United States were thus seized and forced to serve in the British navy.

But this was not the worst feature of the practice. As it was difficult to distinguish between an Englishman and an American, and as the British officers were not over-scrupulous when they were short of seamen, they impressed hundreds of native-born Americans into the British navy. Discipline in that service was very severe, flogging still existed, and there were many desertions. Deserters frequently took service on American merchant vessels and occasionally on American warships.

At the beginning of the War of 1812 there were on file in the State Department 6257 cases of impressed seamen

**Number of
impress-
ments ;
intensity of
feeling
against
England**

who claimed to be Americans. Lord Castle-reagh stated on the floor of the House of Commons that in January, 1811, there were 3300 men claiming to be American citizens serving in the British navy. This was obviously a conservative statement.

When the War of 1812 began the British Admiralty Report shows that 2548 impressed American seamen were imprisoned for refusing to serve against their country. The total number of impressments is estimated by Roosevelt in his *Naval War of 1812* at 20,000.

Napoleon's outrages on our commerce were as great as England's, but the British navy showed greater activity, and the impressment of American seamen in sight of our coasts brought the question nearer home and aroused the people to an intensity of feeling against England which it was difficult to restrain.

The depths of our humiliation were sounded in 1807. On June 22 the United States frigate *Chesapeake* left Norfolk for a cruise to the Mediterranean with four deserters from the British navy aboard. Three of these were native Americans, and the fact that they had deserted from the British navy was known to the officers. The fourth had enlisted under an assumed name and turned out to be a British subject. As the *Chesapeake* was proceeding towards the Capes the British war vessel *Leopard* approached and fired a gun as a signal that she wished to communicate with the ship. Her captain said that he had dispatches and sent British officers aboard. The dispatches were orders from his commanding officer to search the *Chesapeake* for deserters.

The Chesapeake-
Leopard
encounter,
1807

The American commander, Commodore James Barron, refused to allow his ship to be searched and, as he had not called his men to quarters, tried to gain time, but before the guns could be manned the *Leopard* fired three broadsides into the *Chesapeake*. Barron hauled down his flag, whereupon the British boarded the ship, mustered the crew, and seized the four deserters, but refused to receive the surrender of the ship. Barron was later tried by court-martial and suspended for five years without pay for neglect of duty in failing to call his men to quarters when the *Leopard* approached.

President Jefferson at once issued a proclamation closing American ports to British warships and forbidding the furnishing of supplies to them. He also called a special session of Congress. Meanwhile Monroe and William Pinckney had signed an agreement with the British government. This treaty failed to settle the impressment controversy and was so thoroughly unsatisfactory to Jefferson that he did not submit it to the Senate.

The Em-
bargo Act,
December
22, 1807

The only course open to the United States was war or commercial restriction. Jefferson knew that our navy was



could the dead feel any interest in Monuments or other remembrances of them, when, as Maecenas says OIGN DS XEISOPESTO
KOM, OSWV XUGETWV

The following would be to my taste the most gratifying.

On the grave a plain die or cube of 3 ft without any moulding, surrounded by an Obelisk of 6 ft. height, each of a single stone; on the faces of the Obelisk the following inscription, & not a word more.

Here was buried

Thomas Jefferson

Author of the Declaration of American Independence
of the Statute of Virginia for religious freedom
& Father of the University of Virginia?

because by these testimonials that I have lived, I wish most to be remembered. ~~It~~ to be of the coarse stone of which my columns are made, that no one might be tempted hereafter to destroy it for the value of the materials.

my bust by Curauchi, with the pedestal and truncated column on which it stands, might be given to the University if they would place it in the Dome room of the Rotunda.

on the Die ^{of the vault} might be engraved

Born Apr. 2 1743 OS

Died —

FACSIMILE OF INSCRIPTION WRITTEN BY JEFFERSON FOR HIS TOMBSTONE.

utterly unable to cope with that of Great Britain, and furthermore, he had an innate aversion to war. He, therefore, recommended to Congress that an embargo be laid on American commerce, maintaining that it was better to keep American ships at home than to send them out with the

certainty of capture. The Embargo Act was promptly passed December 22, 1807, prohibiting absolutely the departure of American ships for foreign ports. It was thought that this act would compel England and France to modify their orders and decrees.

The Embargo Act raised a storm of opposition in New England, where it was practically nullified, and hence produced little effect on either France or England. Shipowners preferred to assume the risk of sending their ships abroad rather than to see them rot in port, and when a ship did elude capture the profits of the voyage were great.

In the presidential election of 1808 Madison, who was Jefferson's choice for the succession, received 122 electoral votes, and C. C. Pinckney, the Federalist candidate, 47. The Republican majority in Congress was, however, greatly reduced, for the embargo had made New England almost solidly Federalist again. John Quincy Adams supported Jefferson's embargo policy, and as a result lost his seat in the United States Senate. He now allied himself with his father's old enemies, the Republicans, and soon gained recognition as one of their party leaders.

After the election Jefferson and Madison could no longer control the Republican majority in Congress, and shortly before the close of Jefferson's term an act was passed repealing the embargo, the repeal to take effect March 15, 1809. In its place the Non-intercourse Act was passed, prohibiting commercial intercourse with Great Britain and France, but leaving American ships free to sail to other ports, and authorizing the president to reestablish commercial relations with whichever of the two nations should first suspend or repeal its orders or decrees.

Before the close of Jefferson's administration a new

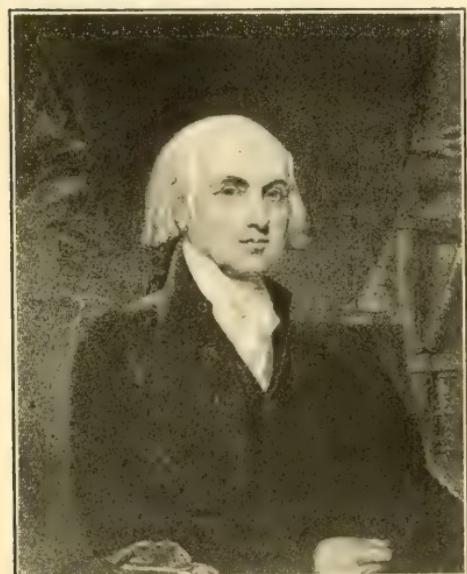
Opposition
to the em-
bargo and
revival of
New Eng-
land
Federalism

Election of
Madison to
the presi-
dency, 1808

Repeal of
the embargo
and passage
of the Non-
intercourse
Act, 1809

British minister, Erskine, was sent to Washington. He was favorably disposed to the United States and alarmed at the growing hostility to England. He offered reparation for the attack on the *Chesapeake* and the withdrawal of the Orders in Council, provided the United States would suspend the Non-intercourse Act with England and agree to comply with the rule of 1756. These terms were more liberal than his instructions warranted, and the treaty which he signed was promptly repudiated by the British government. Erskine was recalled and Jackson was sent over to take his place. The new minister was unfriendly and overbearing in manner, and when Madison demanded to be shown his full powers he replied in such offensive language that the president refused to have further intercourse with him. The British government regarded Jackson's conduct as indiscreet, and some months later recalled him.

Diplomatic negotiations with England, 1809-1810



JAMES MADISON.

The tortuous policy pursued by Napoleon at this period is very difficult to follow, but his object was to deceive

Diplomatic negotiations with France

President Madison by pretending to repeal his decrees and to force a war between the United States and England. As soon as he learned of the Erskine agreement he announced the withdrawal of the Milan decree, but when he heard that the agreement had

been repudiated by the British government he secretly ordered the seizure of all American ships found in European ports under his control.

In May, 1810, Congress repealed the Non-intercourse Act and authorized the president, in case either France or England should withdraw their decrees or orders, to prohibit commerce with the other at the end of three months. Napoleon then informed the American minister that the Berlin and Milan decrees would not be enforced after November 1. In accordance with the act of Congress President Madison issued a proclamation on November 2 announcing that commercial intercourse with Great Britain would cease on February 2, 1811. Napoleon had not acted in good faith, and it was soon evident that American vessels were still subject to unlawful restrictions and seizure. England, therefore, refused to modify her orders.

British ships continued the practice of impressing American seamen, and in May, 1811, Captain John Rodgers, commanding the frigate *President*, was ordered from Chesapeake Bay to the Jersey coast to protect American vessels from interference by the British frigate *Guerrière*. On the way he found himself followed by a vessel which he mistook for the *Guerrière*, but which turned out to be the *Little Belt*. About sunset as he overtook her a shot struck the *President*. Broad-sides were then exchanged and the *Little Belt* was seriously injured. Each side disclaimed responsibility for the first shot, but Captain Rodgers was exonerated by his government and the British government let the incident pass. The American people, however, made no effort to conceal their joy and regarded the incident as a retribution for the *Chesapeake-Leopard* affair.

Encounter
between the
President
and the
Little Belt,
May, 1811

During the early years of the nineteenth century the frontier was being rapidly extended westward, and the government could not persuade the Indians to relinquish

their lands rapidly enough to satisfy the more enterprising settlers. In 1811 the Indian chief Tecumseh, who had already organized the tribes of the Northwest for resistance, went to the South for the purpose of forming a general league with the Indians in that quarter. During his absence General William Henry Harrison, Governor of Indiana Territory, advanced with a force of 800 men to occupy a region recently ceded to the government. In November, 1811, he encountered a force of Indians on the Tippecanoe Creek in western Indiana and after a bloody fight drove them from the field. The Indians had secured their arms and ammunition in Canada, and it was generally believed that the British authorities had incited them to acts of hostility. Harrison became the popular hero of the Northwest, and nearly thirty years later was elected president of the United States.

The Twelfth Congress, which met in extra session November 4, 1811, was dominated by the younger group of Republicans, who elected Henry Clay of Kentucky as speaker. New England was strongly opposed to war and the Middle States were divided, but the South and West controlled the action of Congress and a war program was pushed through that body. The president knew that the country was unprepared for war with a great naval power like England, but no other course seemed open to him, so he carried into effect the policy of the younger and more enthusiastic leaders of his party.

On June 1 he finally sent a message to Congress, in which he enumerated the grievances against England: the insolent conduct of British cruisers in searching American vessels on American coasts, the impressment of American seamen, the Orders in Council, the seizure of American ships, and the intrigues with the Indians of the Northwest. On June

Harrison
defeats the
Indians of
the North-
west at the
battle of
Tippecanoe,
November,
1811

Declaration
of war,
June 18,
1812

18 Congress formally declared war. Five days later the British government, acting under pressure of the manufacturing and commercial interests, withdrew the Orders in Council, but this was before the days of ocean cables, and the news came too late. The impressment question was, moreover, the main cause of the popular feeling against England, and that alone was amply sufficient to justify war.

When Congress declared war Madison had already been renominated for the presidency by the Republicans. George Clinton, the leader of the New York Republicans, had grown tired of Virginia domination and had taken steps to organize a coalition between Madison's enemies and the Federalists, but he died before the campaign had fairly opened. As a result of the disaffection in New York, Madison's friends nominated Elbridge Gerry of Massachusetts for the vice-presidency. This further alienated the Clinton faction, and De Witt Clinton, a nephew of George, was nominated for the presidency by the New York legislature and indorsed by the Federalists. The Federalists still hoped to stop the war and the campaign was fought out on this issue. The close alliance of the South and West, aided by the votes of Pennsylvania, carried the day, and Madison was reelected by 128 electoral votes to Clinton's 89. His majority was much smaller than had been expected and without the votes of Pennsylvania he would have been defeated.

Reëlection
of Madison,
1812

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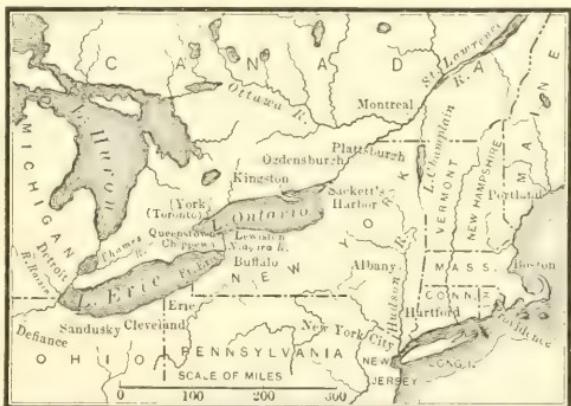
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CHAPTER XIV

THE SECOND WAR WITH ENGLAND

DURING the greater part of the War of 1812 England was engaged in the gigantic struggle with Napoleon, and could not give the war in America the attention it would otherwise have received. Americans had no reason to feel any regard for Napoleon and no attempt was made to form an alliance with him or to coöperate in any way. While it was realized that the United States was not prepared to cope with the entire military and naval power of Great Britain, it was generally believed that with the latter's forces occupied abroad, the conquest of Canada would be an easy task and

Americans
unprepared,
but
optimistic



THE CANADIAN FRONTIER.

that a severe blow could be dealt to British commerce. As army and navy were both small, great reliance was placed on volunteers for the conquest of Canada and on privateers for the war on British commerce.

“On to Canada” was the general cry. The first invading column, led by General Hull, crossed over from Detroit in July, 1812, for the purpose of attacking Fort Malden, but on learning that the British had

“On to
Canada”

captured Mackinac and aroused the Indians against the Americans, Hull immediately recrossed to Detroit. General Brock, the British commander, promptly assumed the aggressive and on August 15 compelled Hull to surrender Detroit with his entire force of 2500 men.

Two other expeditions which had started for Canada were equally fruitless, though they did not equal the disgrace of Hull's surrender. General Dearborn, who was to advance through New York against Montreal, met with so many delays that he finally went into winter quarters at Plattsburg without having accomplished anything. The third movement, by way of Niagara, was repulsed at Queenstown, October 13, with a loss of 1000 men. It was now evident that "on to Canada" was not an easy task for raw recruits and untrained militia.

The war on
the sea,
1812

On the sea the Americans met with a success during the first year of the war which, in view of their own slim resources and the tremendous prestige of the British navy, filled them with pride and attracted the attention of all the world. At the beginning of the war the United States had in commission three forty-four-gun frigates, *United States*, *Constitution*, and *President*; three thirty-eight-gun frigates, *Congress*, *Constellation*, and *Chesapeake*; the *Essex* of thirty-two guns, the *Adams* of twenty-eight, two sloops, *Hornet* and *Wasp*, each of eighteen guns, and six brigs of twelve to sixteen guns each, besides about two hundred and fifty small boats mounting usually a single gun. The American frigate was superior in construction and armament to the British frigate, but the American navy did not possess a single vessel corresponding to the British ship-of-the-line, which carried usually seventy-four guns.

When the war began most of the ships were in New York harbor in two divisions, one commanded by Commodore John Rodgers and the other by Commodore Stephen Decatur.

On June 21 Rodgers put to sea with the entire squadron and started in search of a large convoy which had sailed from Jamaica for England. He followed it to within a short distance of the British Channel, but failing to overtake it, sailed south to the Madeiras and then returned home, putting in at Boston August 31. While he had made no important captures, his movements kept the British squadron waiting in suspense off the American coast and prevented the ships from separating and going in search of American merchant vessels, large numbers of which were returning to the United States.

Meanwhile the first of the single-ship actions, or naval duels, which redounded so to the credit of the Americans, had occurred. When Rodgers left New York on his cruise, the *Constitution*, commanded by Captain Hull, was at Annapolis enlisting a crew. She put to sea in July and eluding the pursuit of the British squadron, which was sighted off the coast of New Jersey, made her way to Boston and later to the Gulf of St. Lawrence, where some important prizes were taken. Hull then started South for the Bermudas and had run about 300 miles when on August 19 he sighted the *Guerrière*. In an action which lasted about half an hour the *Guerrière* was rendered helpless and forced to surrender. Her injuries were so serious that after the removal of her crew Hull ordered her to be blown up. Hull was a nephew of the general who a few days before had surrendered Detroit, and his victory was as welcome to his countrymen as it was surprising to the world at large. The prestige of the British navy was at last broken by a ship of the American navy, which had so long been treated with contempt.

The fight
between the
Constitution
and the
Guerrière,
August 19,
1812

On October 18, 1812, occurred the second naval duel, in which the American sloop *Wasp*, Captain Jacob Jones, took the British sloop *Frolic*. The fight occurred about 500 miles east of Chesapeake Bay. Scarcely had Jones taken

possession of the *Frolic* when the British ship-of-the-line *Poictiers*, of seventy-four guns, came along and took both him and his prize. A week later the *United States*, commanded by Commodore Decatur, met the *Macedonian* about 500 miles west of the Canaries, and took her after a hard fight, the ships being of about equal size. On December 29 the *Constitution*, Captain Bainbridge, had a remarkable encounter with the *Java* off the coast of Brazil. After a two hours' fight the British ship was completely disabled and the American ship had to draw off for repairs before receiving the surrender. The *Java* had to be burned as she was too seriously injured to be taken to port.

On February 24, 1813, occurred the last of the five naval duels that took place during the first period of the war. The *Hornet*, Captain Lawrence, encountered the *Peacock* off the mouth of the Demarara River and soon forced her to strike her colors. As she did so she signaled distress, and the Americans at once came to her aid, but she went down almost immediately carrying nine of her own crew and three of the *Hornet's*.

Great Britain did not put forth her naval strength until the early spring of 1813. In September, 1812, Admiral

**The Amer-
ican coast
blockaded,
March, 1813** Sir John Warren had been placed in charge of the American station with Halifax as the base of operations. He had under his command eleven ships-of-the-line, thirty-four frigates, thirty-eight sloops, and other vessels, making a total of ninety-seven. His mission was partly diplomatic and he sent to President Madison proposals of peace. The president replied that the abandonment of impressment was an indispensable condition, but as the British were not willing to concede this the negotiations came to naught.

In February and March, 1813, Admiral Warren proceeded to blockade the coast from Narragansett Bay to Florida,

bottling up naval ships and merchant vessels, and capturing those that were rash enough to venture out. The New England coast was not strictly blockaded until the following year, as the people were violently opposed to the administration of Madison and were willing to supply the British naval station at Halifax with provisions.

The first serious disaster on the seas was the loss of the *Chesapeake* in a fight with the *Shannon* off Boston, June 1, 1813. Captain Lawrence, fresh from his victory over the *Peacock* in February, had been transferred to the *Chesapeake* and had just shipped a new and inexperienced crew at Boston when he was challenged by Captain Broke of the *Shannon* to come out and fight. He unwisely accepted the challenge though neither he nor his crew had tried the ship at sea. The result was that he got the worst of it. The *Chesapeake* surrendered after a desperate fight in which Lawrence was killed. In August the American brig *Argus*, Captain Allen, after taking nineteen prizes in English waters, was captured by the *Pelican* off the coast of Wales, but not until her captain was mortally wounded.

In September the *Enterprise*, Lieutenant Burrows, had a fight with the British ship *Boxer* off the Maine coast, in which the Americans were successful. Both commanders were killed in the action. In June, 1814, a remarkable fight occurred off the English Channel between the American sloop *Wasp*, Captain Blakeley, and the British *Reindeer*. The *Reindeer* was taken in nineteen minutes and burned by Blakeley, as the risk of sending her to an American port was too great. Blakeley then cruised southward and after taking two or three more prizes the *Wasp* disappeared from human view. She was never heard from again.

The United States frigate *Essex*, thirty-two guns, made a notable cruise under Captain David Porter. A month after the war broke out she put to sea and during the re-

Isolated
encounters,
1813-1814

mainder of the year she took ten prizes and 423 men. She then went to the South Atlantic and finally around Cape Horn, and captured a number of British whalers The cruise
of the Essex,
1812-1814 off the Galapagos Islands. She was finally blockaded in Valparaiso harbor in February, 1814, and captured a month later. With Porter was David Farragut, then a midshipman thirteen years old. These incidents in remote waters had little or no effect on the contest, however gratifying they were to American pride.

The work of American privateers was as brilliant as that of the regular navy. Ships were fitted out and armed at great expense to prey on British commerce, and Privateers
and prizes a successful cruise brought great profits to the owners and shareholders who had taken stock in the enterprise. Nearly five hundred privateers were granted commissions during the war. Of these Maryland furnished the largest number; New York and Philadelphia came next; while the Massachusetts coast towns and Charleston, South Carolina, also sent out a number.

It is almost impossible to give exact figures of the number of captures on either side. During the earlier part of the war the Americans took the larger number of prizes, but after the blockade was established the British figures were swelled by bay craft and oyster boats of little value. There were probably as many as 1700 prizes taken on each side, including the work of both privateers and war vessels. After the blockade became effective there were few American merchantmen on the seas to be taken, while American cruisers continued their depredations on British commerce in distant waters, though many of the prizes which they took were recaptured before they could be brought to an American port.

On May 30, 1814, general peace was signed in Europe, and Napoleon having been sent to the island of Elba, England was free to direct her resources against America. On

May 31 she ordered a stricter blockade of the American coast, including New England which had hitherto been largely spared. She was now able to place an overwhelming division on blockade before each American port and a ship-of-the-line with each division. The American frigates were thus successfully excluded from the ocean. When the war ended the only American vessels on the seas were the *Constitution*, three sloops, and one brig. When therefore we consider the effect of the war on the commerce of the two countries, we see that England had the overwhelming advantage. In fact American commerce was practically driven from the seas. Exports from the United States in 1807, the last year of unrestricted commerce, were \$108,000,000; in 1814 they amounted to less than \$7,000,000.

American commerce driven from the seas

After the surrender of Detroit, General Harrison, whose defeat of the Indians at Tippecanoe had made him popular with the men of Kentucky and the Northwest, was appointed to succeed Hull. He soon formed a plan of attacking Fort Malden by crossing over on the ice, but this plan was thwarted by the defeat of the leading division under Winchester at Frenchtown on the Raisin River in January, 1813. As Winchester was preparing to drive the British from this post he was attacked by a superior force from Fort Malden. Five hundred Americans were taken prisoners, nearly four hundred killed or massacred by the Indians after the battle, and less than forty escaped back to the main army. Weakened by this loss Harrison had to withdraw from his position on the Maumee, and as the terms of the militia expired in February, he had to delay further operations until he could enlist a new army.

The war on the Canadian frontier, 1813

During the summer of 1813 Captain Oliver Hazard Perry, who was given the naval command on Lake Erie, pushed forward the construction of brigs and gunboats on the

stocks at Presque Isle with such energy that by September he was able to put to sea with a fleet of six ships, which in

Perry's victory on Lake Erie, September 10, 1813

tonnage, metal, and men was superior to that of the British. On September 10 he won a brilliant victory, and sent to General Harrison the dispatch: "We have met the enemy and they are ours. Two ships, two brigs, and one sloop."

The destruction of the British fleet on Lake Erie caused the army to abandon Detroit and opened the way for the invasion of Canada. Harrison's force of 4500 men was

transported across the lake and landed near Malden, from which the British promptly withdrew. They burned both Detroit and Malden before retiring. Harrison followed the retreating British and forced them to fight at the Thames River. The engagement was short and the victory decisive for the Americans. Among the slain was the Indian chief Tecumseh, who had organized the Indians of the Northwest against the United States. The



OLIVER H. PERRY.

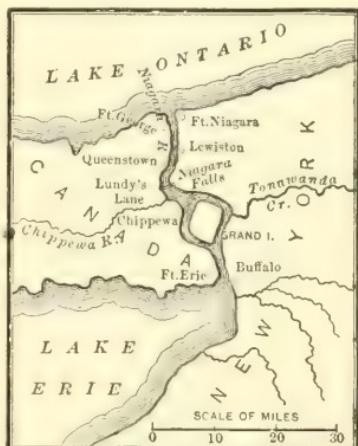
Indians had been the mainstay of the British control of this region and they now retired from the contest. The United States was now secure in the possession of Michigan Territory and Harrison dismissed most of his troops.

On Lake Ontario the Americans were not so successful. Commodore Chauncey, the American commander, and Sir

James Yeo kept maneuvering for advantage and avoided a decisive action, so that the advantage was now with one side and now with the other. An American force landed at York, the present Toronto, and burned the parliament house, which later gave the British a pretext for burning the government buildings at Washington. In October, 1813, General Wilkinson left Sackett's Harbor with 3000 men and moved down the St. Lawrence against Montreal, but suffered a disgraceful repulse at Chrystler's Farm. Meanwhile General Wade Hampton, who had marched from Plattsburg to the St. Lawrence with 4000 men to coöperate in the attack on Montreal, grew tired of waiting for Wilkinson and returned to Plattsburg without orders. Hampton resigned from the service and Wilkinson was whitewashed by a court-martial. At the close of the campaign on Lake Ontario and the St. Lawrence neither side had any marked advantage. Each occupied about the same territory that it held at the beginning.

The American campaign of 1814 was better managed on the Canadian frontier. General Jacob Brown was placed in command of the whole Ontario line. He collected his forces at Sackett's Harbor and then advanced to Niagara, where General Winfield Scott had his little force well organized and disciplined. The Americans crossed the Niagara River and on July 5 Scott gallantly won the battle of Chippewa, the American loss being 297 and the British 515. Ten days

Operations
on Lake
Ontario and
the St.
Lawrence,
1813



OPERATIONS AROUND NIAGARA.

Fighting
around
Niagara,
1814

later, the main body under Brown having joined Scott, a desperate battle was fought at Lundy's Lane. The Americans claimed the victory, but their losses were heavier than the British and they soon retired to Fort Erie, where they remained shut up by the British until they finally recrossed the river. This was the end of offensive operations against Canada.

Meanwhile Napoleon had been overthrown and in May England had made peace with France. The British govern-

The British take the offensive ment at once decided to tighten the blockade and to send to America a large force of veteran troops, trained in the wars against Napoleon.

The British were now in a position to assume the offensive and four separate attacks were planned. One expedition occupied the coast of Maine as far as the Kennebec, another attempted an invasion of New York by way of Lake Champlain, a third was sent to the Chesapeake to attack Washington and Baltimore, and a fourth was sent to capture New Orleans. The outlook for Americans was dark.

During the summer of 1814, General Prevost advanced from Canada to the lower end of Lake Champlain with a

The British advance from Canada checked by Macdonough's victory on Lake Champlain, September 11, 1814 force of 11,000 men. He could proceed no farther without gaining control of the lake, which was commanded by a small naval force under Captain Thomas Macdonough. There was also a force of 2000 American troops at Plattsburg commanded by General Macomb. A desperate battle on the lake occurred off Plattsburg September 11. At the end of two hours Macdonough's

principal ship, the *Saratoga*, was disabled and the British seemed to have the victory in their grasp. Macdonough skillfully managed, however, to let one end of his ship swing around with the current so as to present a new broadside to the British. After another half hour's fighting the British ship *Confiance* struck her colors and the others soon

followed. Macdonough's victory was the most decisive of the war, for Prevost's force of 11,000 men at once began the retreat to Canada.

The Chesapeake expedition was purely punitive. The British had no idea of permanently occupying any territory in this region. They entered the Patuxent River August 18, 1814, and marched unopposed to Bladensburg, five miles from Washington. Here on August 24, 4000 British regulars easily routed the ill-organized force of between 6000 and 7000 militia which had

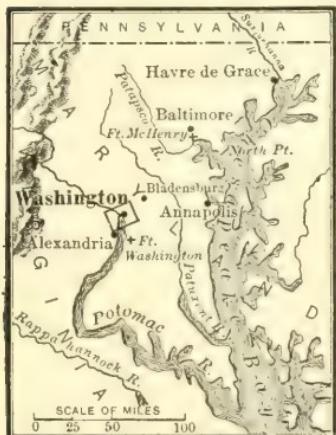
^{The burning of Washington}
been hastily collected to oppose them. The British then entered Washington, burned the Capitol, White House, and several other public buildings, and retired without opposition to their ships in the Patuxent.

Proceeding up the Bay the British anchored off the mouth of the Patapsco on September 11. The troops were landed at North Point, twelve miles from Baltimore, while the ships proceeded up the river to bombard Fort McHenry.

^{The attack on Baltimore}

OPERATIONS AROUND WASHINGTON AND BALTIMORE.

Next day occurred the battle of North Point. As the British advanced up the peninsula they were attacked by the militia and their commander, Major General Ross, was killed. They continued the advance and drove the Americans back into the trenches before the city, but as these were filled with 14,000 militia, the British hesitated to press the attack. Meanwhile the fleet had failed to take Fort McHenry, so the invading force decided to reembark and retire. During the bombardment of the fort Francis Scott Key, who had been detained aboard one of



the British ships, was inspired to write the "Star-Spangled Banner."

In the late autumn of 1814 Great Britain sent a force of over 10,000 men, composed mainly of Wellington's seasoned troops, to the mouth of the Mississippi River for the purpose of capturing New Orleans and gaining control of the Louisiana territory. Andrew Jackson, who had recently been appointed

The Battle
of New
Orleans,
January 8,
1815

major general and placed in command of the Southwest, was at Mobile, which had been lately occupied by American troops, when he learned that the British were about to attack New Orleans. Calling on the militia of Kentucky, Tennessee, and Georgia to follow him, he at once set out for the scene of action and threw himself with great energy into the work of preparing the city for defense.

On January 8, 1815, Jackson won a brilliant victory over the British. He had fortified himself strongly about five miles below New Orleans. He had with him about 4000 troops, mostly militia, but expert marksmen. The British commander, General Pakenham, advanced cautiously with a division of 5000 men and tried to carry the American trenches, but he was repulsed with heavy losses, mainly through the superiority of the American riflemen, who picked off the British with unerring accuracy. Three of the British major generals were killed, among them Pakenham, and their total losses were over 2000, while the Americans lost only 71.

The battle of New Orleans caused great rejoicing throughout the country, but it did not affect the outcome of the war, for the treaty of peace was signed at Ghent two weeks before it was fought. Its effect on the course of American history, however, was far reaching, for it brought the West into greater prominence and made Andrew Jackson the military hero and the political leader of that section.

The American peace commissioners, John Quincy Adams,

James A. Bayard, Henry Clay, Albert Gallatin, and Jonathan Russell, had been carrying on weary negotiations with the British commissioners at Ghent since September.

The British commissioners were overbearing and the American commissioners could not agree among themselves. Both governments were, how-

The treaty
of Ghent,
December
24, 1814

ever, tired of war, and they finally instructed their commissioners to waive most of the demands which they had been instructed to make. The treaty, which was finally agreed to December 24, 1814, restored things to their former status and contained not a single provision relating to the questions that had occasioned the war. A copy of the treaty reached New York late at night February 11, 1815, and spread quickly through the country concurrently with the news of Jackson's great victory. The people were quite satisfied to let the war close with the battle of New Orleans.

New England had for some time been restive under Virginia domination of national polities and during the war the disaffection of this section became a serious

question. When war was declared nineteen members of Congress from New England, with several other Federalists from the Middle States, issued

The attitude
of New Eng-
land during
the war

an address declaring the war unjustifiable, and when the president called for troops Massachusetts and Connecticut refused to furnish them, claiming that under the Constitution they could not be forced to send their militia outside of the State. Even the navy suffered from the lack of New England support. About half the officers who served during the war were furnished by Maryland, the District of Columbia, and the Southern States; of the remainder the Middle States furnished nearly two thirds and New England a little over one third.

New England also refused to subscribe to national loans. Of the \$98,000,000 borrowed during the war this section subscribed less than \$3,000,000. All the while specie was

accumulating in her banks. Massachusetts bank deposits rose from \$1,709,000 in 1811 to \$7,326,000 in 1814. But the disaffection did not stop here. New England kept up a lively trade with the enemy from which large profits were derived. Large quantities of flour, grain, and other produce were shipped to Halifax to supply the British fleet, while the British army in Canada was kept supplied with beef. In August, 1814, General Prevost wrote to his government : "Two thirds of the army in Canada are at this moment eating beef provided by American contractors. Large droves are daily crossing the lines into Lower Canada." The embargo which Congress at the instance of the president had placed on exports was not successful in stopping this illicit trade and simply increased the discontent in New England.

With the Federal Capitol in ruins and the country in deepest gloom, the radical leaders of the opposition summoned

The Hartford Convention,
December 15, 1814—
January 5, 1815

a convention of the New England States to meet at Hartford to consider the grievances of their section and to adopt some means of redress. About twenty-five delegates attended the convention, which met December 15, 1814. Those from Massachusetts, Connecticut, and Rhode Island were appointed by the State legislatures, while those from New Hampshire and Vermont were chosen by local gatherings. As the proceedings were secret and the journal published later manifestly incomplete, what really went on in the convention has never been fully revealed. It is supposed, however, that secession and the formation of a confederacy of the eastern States, possibly in connection with Canada, was the ultimate object.

In the contemporary New England press resistance of Federal authority was openly discussed, several writers asserting that the Constitution was nothing more than a treaty between independent sovereigns, and one declaring

that "State sovereignty excludes the possibility of State rebellion: a sovereign State may infract its treaties, but can never rebel; nor can any citizen of such State, while acting under and in pursuance of its authority, be guilty of treason against the United States." Before adjourning to meet at the call of the president the convention proposed as an ultimatum the following amendments to the Constitution: that the compromise of the Constitution counting three fifths of the slaves in apportioning representatives should be repealed; that a two thirds vote of both houses should be required to admit a new State, to declare war, or to interdict commercial intercourse with any foreign nation; that no naturalized person should be permitted to hold any civil office; that the office of president should be limited to one term and that it should not be filled from the same State two terms in succession. Before these amendments could be submitted to Congress news arrived of the treaty of Ghent and of Jackson's victory at New Orleans.

The Revolution had wrought little change in the commercial relations of America and England. The United States continued to buy most of its manufactured ^{Results of} articles from the mother country. The period ^{the war} of restricted commerce from 1808 to 1815 saw the rapid development of manufactures, so that the country became in large measure a self-sustaining economic unit. This was the most important result of the War of 1812. It marked the end of commercial dependence on Great Britain just as the Revolution marked the end of political dependence.

The conclusion of peace also dealt the death blow to New England Federalism. The Federalist leaders never recovered from their connection with the Hartford Convention and the party soon ceased to exist as a factor in national politics. The disasters of the war taught the Republicans the need of a stronger army and navy and of a more efficient administration of the Federal government.

The failure of either Great Britain or the United States to gain any material advantage along the Canadian frontier led to a very sensible arrangement in 1817, by which each side agreed to limit its armament on the Great Lakes. Thus for a hundred years the practical neutralization of the Lakes has saved the two governments the enormous cost of maintaining fleets on these inland waters.

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CHAPTER XV

INDUSTRIAL GROWTH AND WESTWARD EXPANSION

THE fifteen years following the War of 1812 were a period of transition in industry, in trade, in polities, and in almost every condition affecting the life of the people. *A period of transition* These years witnessed the rapid expansion of the West and its rise to a position of great importance in national polities, the extension of the plantation system over a wider area, the development of manufactures, the alignment of the sections on the tariff issue, the demand for internal improvements, the strengthening of the Federal power through the great judicial decisions of John Marshall, the reshaping of political parties, and the successful assertion in the Monroe Doctrine of a national foreign policy which is still the cardinal principle of American diplomacy.

The charter of the bank which Hamilton had established in 1791 had expired in 1811 and Congress had refused to recharter it. The country then had to depend for a currency on the notes of State banks issued under varying laws and of unequal and uncertain value. During the war the Federal government had experienced such great inconvenience from the lack of a national bank that at its close the Republican leaders decided, notwithstanding the fight which their party had made against Hamilton's bank, to create a new one on the same model. Calhoun was chairman of the committee which reported the bill, though it did not embody fully his own views. The new bank was to have a capital of \$35,000,-000 and was authorized to establish branches in the several

*The second
bank of the
United
States*

States. The government subscribed one fifth of the stock and was to name five of the twenty-five directors.

At the beginning of the War of 1812 the duties on imports had been doubled for the purpose of raising a revenue, with **The tariff of 1816** the provision that they should be reduced to the former rate within a year after the close of the war. American manufacturers, who had greatly prospered during the interruption of the trade with Europe and who had founded new industries, were now alarmed lest they should be swamped by the accumulated products of the English and continental factories, and appealed to Congress to continue the war rates. Dallas proposed a bill which was distinctly protective and it passed with the support of President Madison, Calhoun, and other Southern leaders, who wanted to see the United States a self-sustaining nation, commercially independent of the Old World.

John Randolph and other factional Republicans opposed the measure, so that the South was divided. New England was also divided, the manufacturing interests favoring the bill and the commercial and shipping interests opposing it. The Middle States and the West were almost solidly for it. The Southern representatives who voted for this tariff from patriotic motives were not willing to see the protective principle carried any further and after 1816 we find them voting consistently against high tariffs.

As early as 1806 Congress had made an appropriation for the construction of the Cumberland Road, a national **Internal improvements** highway extending from the Potomac across the mountains to Wheeling on the Ohio. With the growth of the West the demand for the appropriation of large sums for the construction of roads and canals became more insistent. This policy of internal improvements was generally supported by the representatives from the Middle States and from the West and at first by Calhoun and other Southern statesmen on the ground that it was necessary

in order to bind together the East and West. But Madison as a strict constructionist questioned the constitutional power of Congress to undertake such works and on March 3, 1817, he vetoed the so-called "Bonus Bill," which proposed to set aside the profits derived from the government shares in the bank of the United States as a permanent fund for internal improvements. Clay continued to champion the policy, however, and for some years it was a burning political issue. Monroe and Jackson both followed Madison's course and vetoed all appropriations for internal improvements.

Meanwhile Virginia, South Carolina, Pennsylvania, and New York spent large sums of money on the construction of roads and canals. The most important of these enterprises was the Erie Canal, which was undertaken by the State of New York in 1817 at the instance of De Witt Clinton and completed in 1825 at a cost of \$7,000,000. This canal, which extended from Albany to Buffalo, was 363 miles long, and became the great agency in the development of the States bordering on the Great Lakes. It also made New York the greatest city on the Atlantic seaboard.

Some time before the presidential campaign of 1816 opened, the so-called Virginia "dynasty" had decided that Monroe, Madison's secretary of state, should have the presidency. The opposition gathered around William H. Crawford, of Georgia. Nominations at this time were regularly made by party caucuses of members of Congress. When the Republican caucus met in March, 1816, Monroe received 65 votes and Crawford 54, while Daniel D. Tompkins, of New York, was nominated for the vice-presidency. The Federalists made no regular nomination, but it was generally agreed that they should support Rufus King of New York. In nearly half the States the electors were still chosen by the legislatures; in the others, in response to the rising spirit of democracy,

they were chosen by the people. Monroe received 183 votes to King's 34.

This election marked the end of Federalism. That party never put up another candidate for the presidency. Monroe was noted for his conciliatory disposition, but, while lacking in brilliancy, he was a man of real ability, for it takes something more than a conciliatory manner to control political factions and to give the country an eight-year "era of good feeling," something which no other president ever succeeded in doing. He displayed sound judgment in the selection of a very able cabinet. John Quincy Adams was appointed secretary of state, William H. Crawford secretary of the treasury, John C. Calhoun secretary of war, and William Wirt attorney-general.

John Marshall took his seat on the Supreme Bench as Chief Justice in 1801. Between that time and his death in 1835 he handed down a series of great decisions which fixed for all time the fundamental principles of constitutional interpretation. While the Constitution gives the Supreme Court the right to decide all cases arising under that instrument, its right to declare an act of Congress or the law of a State unconstitutional was at first not generally admitted. Marshall gave a decision in 1803 holding an act of Congress unconstitutional, and another in 1810 holding an act of the State of Georgia unconstitutional. Both these decisions raised a storm of protest. The spirit of nationality developed rapidly after the War of 1812, and enabled Marshall to apply further without serious opposition his principles of constitutional construction.

In 1819 in the famous case of *McCulloch v. Maryland* Marshall expounded the doctrine of the implied powers of Congress. The questions involved were the power of Congress to establish a bank and the right of a State to tax the notes of such a bank. On the first point Marshall said:

Decisions of
the Supreme
Court: the
right to
declare a
law uncon-
stitutional

"Let the end be legitimate, let it be within the scope of the Constitution, and all the means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional."

The doctrine
of implied
powers

He held, therefore, that the bank was constitutional, and he held further that a State had no power to tax it, for, he said: "The power to tax involves the power to destroy."

In a case which came up from Florida in 1828 Marshall affirmed the constitutional right to acquire territory in these words: "The Constitution confers absolutely upon the government of the Union the powers of making war and of making treaties; consequently that government possesses the power of acquiring territory, either by conquest or by treaty." These decisions met with general approval, save on the part of the extreme States' rights advocates, and strengthened immeasurably the Federal power.

In the famous Dartmouth College case, decided in 1819, the jurisdiction of the Federal courts was extended in a new direction. In this case, which involved the power of the legislature of New Hampshire to modify the charter of the college without the consent of the trustees, Marshall held that a charter granted to a corporation was a contract within the meaning of the clause of the Constitution which declares that no State shall pass a law "impairing the obligation of a contract." This decision brought under Federal jurisdiction numbers of cases involving corporations.

When the Declaration of Independence was adopted, slavery existed in all of the thirteen States, but it was by no means evenly distributed. According to the first census in 1790 more than nine tenths of all slaves were found in the Southern States, and there they formed about one third of the entire population: 648,651 slaves to 1,226,057 whites. The Revolution cut off the foreign slave trade and by 1783 importations had

Slavery

almost ceased. In fact most of the States had prohibited the importation of slaves by statute, Virginia leading the way in 1778. When the Federal Convention met in 1787, South Carolina and Georgia were the only States which permitted it.

Meanwhile emancipation was making progress at the North. In 1780 slavery was declared by the supreme court of Massachusetts to be inconsistent with the bill of rights. Other States passed acts providing for immediate or gradual emancipation as follows: Pennsylvania in 1780, New Hampshire in 1783, Rhode Island and Connecticut in 1784, New York in 1799, and New Jersey in 1804. The Northwest Territory became free by the Ordinance of 1787. When the Federal Convention adopted the compromise permitting the continuation of the slave trade for a period of twenty years, it was thought by many that slavery was a decaying institution.

A simple mechanical invention was destined, however, to give a new lease of life to slavery and to make it the **Cotton culture** corner stone of an industry in which the South was to enjoy a world-wide monopoly. In 1793 Eli Whitney, a native of Massachusetts and a graduate of Yale, who was teaching school in Georgia, invented the cotton gin. Prior to this invention a slave could pick the seed from about five pounds of cotton a day; with the gin he could clean three hundred pounds. South Carolina and Georgia were the only cotton-producing States and the culture was limited largely to the sea-island or long-staple variety, which could be more easily cleaned. The invention of the gin made it profitable to cultivate the short-staple variety, which could be produced in the interior or Piedmont section of the South.

Improvements in the textile industries in England had already made the demand for cotton greater than the supply. The invention of the gin, therefore, gave a great impetus

to the cotton industry. In 1790 the entire cotton crop of the South was 2,000,000 pounds; in 1800 it had risen to 40,000,000; in 1810 to 80,000,000; and in 1820 to 177,000,-000. The production of cotton continued to double with each decade until in 1860 it amounted to 2,154,820,800 pounds, which was seven eighths of the world's supply.

In any study of the economic organization of the South the plantation system demands first consideration. This system was well established in Virginia before *The plantation system* slavery became a factor of any importance. The culture of tobacco was introduced in Virginia in 1616, and it almost immediately became the staple product. Tobacco is very exhausting to the soil, and under the system of cultivation then in vogue it required the constant clearing of new lands and the abandonment of the old. Even if the scientific care of soils had been understood, it would have been cheaper, under the large land grants of the early days, to bring new lands under cultivation than to care for the old. The staple export crop and the large land grant were two elements of the plantation system. The third was non-free labor, first in the form of indentured servitude and later of slavery.

We have thus at an early date in Virginia the three characteristics of an agricultural system totally different from that of the North, which had free labor, small land grants, and cereal or food products. The population of the North became denser, and the surplus wealth was employed in new industrial enterprises, while the population of the South spread over wider areas, and the surplus gains of successful planters were spent in buying up the lands of their poorer neighbors and enlarging the tracts of the original plantations, or in starting new plantations in the Southwest.

After the invention of the cotton gin North Carolina and Virginia took up the culture of cotton, but its main field of extension was the Southwest, where it spread with

astonishing rapidity, carrying with it slavery and the plantation system. A greater South was thus brought into existence, possessing all the economic characteristics of the old South in an intensified form. Cotton became the greatest of all exports and cotton dominated the polities of the South and of the nation. With the establishment of the "Cotton Kingdom" political leadership passed from Virginia to South Carolina and the Gulf States and remained there until the Civil War.

In 1810 there were only three Western States. Of these Kentucky had a population, black and white, of over 400,000; Tennessee had about 260,000; and Ohio, which had been admitted in 1803, had 230,000. By 1820 five more States had been admitted: Louisiana in 1812, Indiana in 1816, Mississippi in 1817, Illinois in 1818, and Alabama in 1819. The total population of the Western States was now over 2,000,000, and settlers were streaming into Missouri and beginning to enter Arkansas and Michigan.

The rapid settlement of the West was greatly facilitated by the public land policy of the United States, which was outlined in 1787, but which did not come into successful operation until later, owing to the fact that much of the best land was under the control of the older States or had been granted to companies to develop. All lands under national control were, however, surveyed in advance of settlement and divided into townships six miles square, each township containing thirty-six sections of 640 acres each.

A section was at first the smallest amount that could be purchased and the minimum price was one dollar an acre. An act of 1800 authorized the sale of 320-acre tracts and the price was raised to two dollars an acre. After 1820 the sale of 80-acre tracts was permitted and the minimum price was fixed at \$1.25 an acre. This system simplified the question of titles and avoided lawsuits over conflicting claims.

The first settlers in the West came largely from the South. This was true even of the States north of the Ohio River. During the first quarter of the nineteenth century settlers from Kentucky, Tennessee, Virginia, and North Carolina poured into Ohio, Indiana, Illinois, and Missouri. People from the Middle States went into Ohio in large numbers, but in Indiana and Illinois the Southerners formed the largest element. New Englanders did not come in large numbers until the opening of the Erie Canal and the settlement of the Lake region. Most of the early settlements were along the Ohio River and the main trade outlet for this region was down the Mississippi River.

The economic dependence of the West on the South

The development of the cotton States of the Southwest gave the people of the upper Mississippi and Ohio valleys a market for their produce. Without a market a pioneer community can make little progress; in fact it usually retrogrades, as did many of the mountain communities of the southern Appalachian range. As the people of the Gulf States devoted themselves more and more to cotton and sugar, they had to purchase their food supplies from other producers. This demand was met by the upper Mississippi region. Pork, bacon, lard, beef, butter, cheese, corn, flour, and whisky were sent down the Mississippi in large quantities, and Tennessee, Kentucky, and the States north of the Ohio underwent a development no less striking than that produced in the Southwest by the cultivation of cotton.

The North, too, shared in the prosperity of the South and the West, for the West now had the means to purchase goods freely from other communities. Traffic up the Mississippi was much more difficult and expensive than down. Hence the West bought its supplies from the Middle States and New England. What these States could not supply from their own manufacturers they imported from abroad, and the goods pur-

Three-cornered trade

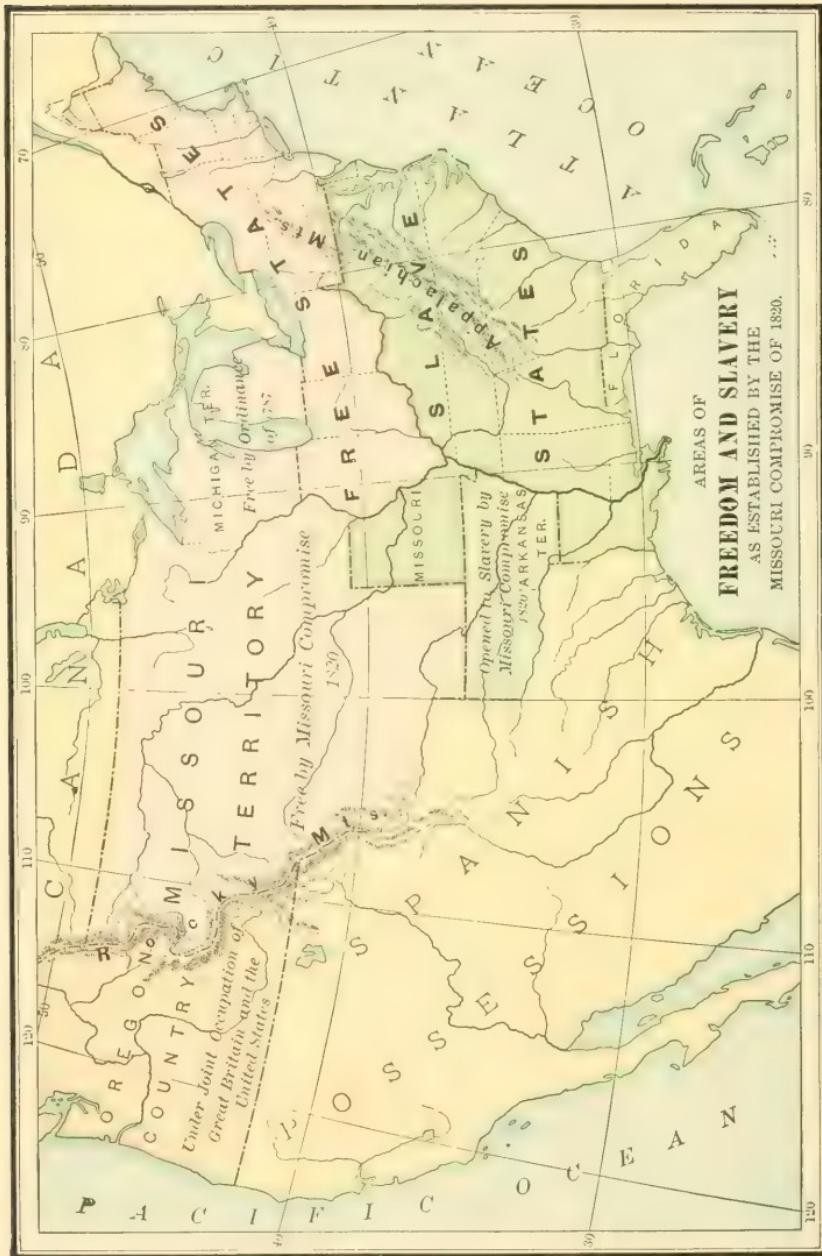
chased abroad were paid for in Southern cotton and carried in New England ships. This three-cornered trade, which first opened up internal commerce and made western development possible, was all based on cotton and slavery. As soon as the prosperity of the West began to attract large numbers of people from the Middle and New England States the effect on manufactures was adverse, because the continual drain on population kept wages high, and the North began to oppose the easy sale of public lands.

The rapid settlement of the West fitted in well with economic conditions in the South, for the continuance of

Political alliance of South and West the plantation system necessitated the removal of the surplus population, both slave and free, to new lands. The southern origin of a large

part of the western population, and the dependence of the West on the southern market tended to keep the West in political alliance with the South, and upon this alliance depended the political ascendancy of the South in the affairs of the Union. Notwithstanding the fact that the West favored a protective tariff, it could usually be relied on to vote with the South in a presidential election. This was not true of Kentucky, which was a Whig stronghold, nor of Tennessee, which after Jackson's time was usually Whig. The States north of the Ohio regularly voted the Democratic ticket, the only exceptions being when Clay and Harrison, both western men, were candidates. Clay carried Ohio in 1824 and in 1844, and Harrison carried Ohio and Indiana in 1836, and Ohio, Indiana, and Michigan in 1840. But as late as the elections of 1848 and 1852 every electoral vote north of the Ohio was cast for the Democratic ticket.

The Territory of Missouri, a part of the Louisiana purchase, had been organized in 1812, and in 1818 it applied for admission as a State. Illinois had just been admitted as a free State and the admission of Alabama as a slave



FREEDOM AND SLAVERY
AS ESTABLISHED BY THE
MISSOURI COMPROMISE OF 1820.

State had been practically conceded, though it did not take place until the following year. There would then be eleven slave and eleven free States. As the slave States were outnumbered in the House of Representatives, it was considered of vital importance for them to preserve an even balance in the Senate. When, therefore, Representative

The
Missouri
Com-
promise,
1820

Tallmadge, of New York, introduced an amendment to the Missouri bill prohibiting the further introduction of slavery and providing for its ultimate extinction, a fight was at once precipitated. As the District of Maine, until then a part of Massachusetts, was also applying for admission as a State, the Southerners insisted that Missouri should be admitted without any restrictions as to slavery so as to preserve the balance in the Senate. The Tallmadge amendment passed the House in February, 1819, but it was defeated in the Senate.

A year later when the fight for the admission of Maine and Missouri was renewed, Senator Thomas of Illinois proposed a compromise, which, with the aid of Henry Clay, was finally adopted. It provided for the admission of Missouri as a slave State, but forever prohibited slavery in the rest of the Louisiana purchase lying north of the parallel $36^{\circ} 30'$. Maine was at the same time admitted. Slavery was thus excluded from the greater part of the Louisiana purchase, and some writers have maintained that the South got the small end of the triangle, but it is hardly possible that slavery could ever have gained any foothold in the vast region north of Missouri, even had it been permitted by law.

As we have already seen, the treaty ceding Louisiana to the United States did not make it clear as to whether that province included West Florida on the one hand, or Texas on the other. Before this matter could be adjusted Spain was occupied by Napoleon, whose brother Joseph was placed upon the throne. Diplomatic relations between the United States

American
occupation
of Florida,
1810-1815

and Spain were thus interrupted from 1808 to 1814. In 1810 the United States took possession of that part of West Florida lying between the Mississippi and Pearl rivers and in 1813 the region around Mobile was occupied.

When diplomatic intercourse was re-established with Spain in 1814 the Florida situation was a difficult one to handle, and it was further complicated by claims of American citizens against Spain arising out of the suspension of the right of deposit at New Orleans in 1802, and out of the seizure of American vessels by the French in Spanish waters. In 1818 President Monroe sent Jackson into East Florida to punish the Seminole Indians, who were rendering assistance to the Creeks. Jackson exceeded his authority by seizing the Spanish forts of St. Marks and Pensacola and by executing two British subjects, who had incited the Indians to hostilities.

These matters were all finally adjusted by the Florida treaty of 1819. The United States on its part agreed to assume the claims of its citizens against Spain, which amounted to \$5,000,000, while Spain agreed to relinquish both East and West Florida to the United States. At the same time it was agreed that the boundary between the United States and the Spanish provinces to the southwest should run from the mouth of the Sabine River in an irregular course, following certain lines and rivers, to the source of the Arkansas, thence north or south, as the case might be, to the forty-second parallel, and along this parallel to the Pacific. The United States thus surrendered whatever claim it had to Texas, but acquired whatever claim Spain had to the Oregon country. The Senate promptly ratified the treaty, but the Spanish monarch held it in suspense with a view to delaying the recognition by the United States of his American provinces then in a state of revolution, so that it did not go into effect until 1821.

**The Florida
Treaty,
signed,
1819; rati-
fied, 1821**

When Napoleon placed his brother Joseph on the throne of Spain the Spanish provinces in America were left to shift for themselves. With the British navy supreme on the seas Napoleon could take no steps toward bringing them under his control. The Spanish colonies soon took advantage of the situation to admit British and American vessels to their ports, a thing which had been strictly prohibited under the Spanish system, and with British and American commerce came liberal ideas. The whole of Spanish America went through a period of enlightenment such as had never been dreamed of before, and revolutionary governments republican in character were soon set up in several of the provinces.

The Span-
ish-Ameri-
can Revolu-
tion

When Ferdinand VII was restored to the throne in 1814, he did not have the sense to realize the change that had taken place in his colonies and he undertook to reimpose on them with unrelaxed rigor the old colonial system. The revolution now opened on a large scale, and by 1821 republican governments had established themselves in all the provinces. In September, 1823, the so-called Holy Alliance, composed of Russia, Austria, and Prussia, with whom France was now in full coöperation, began to consider the question of helping Spain to reconquer her lost provinces and a formal conference was called to meet in December at Paris.

Meanwhile the head of the Holy Alliance, the Emperor of Russia, had issued a ukase in 1821 claiming the Pacific coast of North America as far south as the fifty-first parallel and forbidding all foreigners to trade in that region. This claim was opposed by both England and the United States. England was also strongly opposed to the reconquest of Spanish America, as she enjoyed a lucrative trade with that region. When, therefore, Canning, the British foreign secretary, was informed of the proposed meeting of the Holy Alliance at Paris, he immediately sent

England and
United
States
oppose re-
conquest of
Spanish
America

for Richard Rush, the American minister at London, and proposed that the two countries should unite in opposing the intervention of the European allies in America. Rush replied that he was not authorized to enter into such an alliance, but that he would immediately notify his government of the proposal.

When his dispatches were received in Washington, President Monroe at once forwarded copies to Jefferson and Madison, both of whom strongly favored joint action with England, but after weeks of discussion in the cabinet it was finally decided that, since the attitude of England was already known to the European powers, an independent declaration on the part of the United States would be just as effective as a joint declaration, and would furthermore relieve the United States from any embarrassment that might result from a formal alliance.

Accordingly, in his message to Congress, December 2, 1823, President Monroe declared, first, that "the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers," and, secondly, that "with the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling, in any other manner, their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States."

This announcement created a profound impression abroad, and together with the known attitude of England put a stop to all further idea of intervention in Spanish America. Canning, however, was greatly chagrined at the turn his proposition had taken. He had proposed an alliance; here

The Monroe
Doctrine,
December
2, 1823

was an independent declaration which he had the foresight to see would be applied in future years against England as well as against the continental powers. Nevertheless he claimed full credit for having put a stop to European intervention, and boasted on the floor of the House of Commons that he had "called the new world into existence to redress the balance of the old."

Monroe had been re-elected in 1820 without opposition, receiving all the electoral votes save one. In 1824 an effort was made to revive the caucus method of nominations, but when Crawford's friends called a meeting the friends of the other candidates stayed away. About one fourth of the members of Congress attended, however, and nominated Crawford for president and Gallatin for vice-president. As there was only one party, divided into personal factions without clearly defined lines, the campaign was largely a personal contest. The candidates were, in addition to Crawford, Henry Clay, John Quincy Adams, Andrew Jackson, and John C. Calhoun. Before the campaign was over Calhoun, realizing that he was out of the running, agreed to accept the vice-presidency, while Crawford's prospects were seriously injured by a stroke of paralysis. In the election Jackson received 99 electoral votes, Adams 84, Crawford 41, and Clay 37. Calhoun received a majority of the votes for vice-president and was declared elected, but as no candidate had a majority for president the election was thrown into the House.

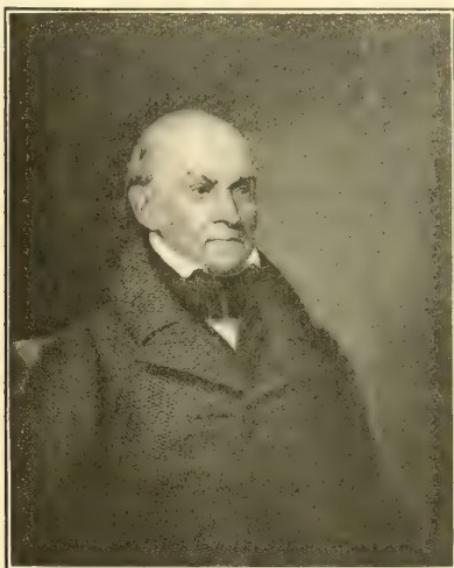
Jackson not only had the largest electoral vote, but he had also the largest popular vote, and his vote was more widely distributed over the country than that of any other candidate. As Clay stood fourth on the list he was eliminated by the provision of the Constitution, and the House had to choose between Jackson, Adams, and Crawford. On account of Crawford's state of health the real contest was

The presi-
dential
campaign of
1824

Election of
Adams by
the House
of Repre-
sentatives,
1825

between Jackson and Adams. Clay had great influence in Congress, and as he was now out of the race much depended on his support. The friends of both Jackson and Adams sought his aid, but he would give no assurances. When the time came to take the vote, however, his influence was thrown to Adams, and Adams was chosen by the votes of

thirteen of the twenty-four States. When Adams appointed Clay secretary of state the cry of bargain and corruption was raised, and John Randolph with his withering sarcasm referred to the combination of the Puritan and the Blackleg, the latter epithet being called forth by Clay's gambling propensity. Clay challenged Randolph to a duel, but fortunately neither was injured.



JOHN QUINCY ADAMS.

Jackson's followers were greatly outraged at the election of Adams and immediately began laying their plans for the

Reshaping of political parties: next campaign. They believed that the will of the people had been thwarted by the Adams-Clay combination, and they soon organized a strong opposition to the new administration. The Calhoun group had supported Jackson, and now the Crawford group, which controlled Virginia and New York, also joined the opposition, among them Martin Van Buren, of New York, a shrewd and tactful leader, destined to be Jackson's ablest counselor and most trusted lieutenant.

Adams's first message to Congress was unfortunate. In it he favored internal improvements and other national activities that smacked too much of Hamiltonian theories of government. Three weeks later he sent a special message to Congress asking for an appropriation to send delegates to a congress of the Spanish-American republics to be held at Panama in the summer of 1826. A violent debate ensued in which the slavery question again figured, since the negro Republic of Hayti was to be represented at the congress, and several of the other republics were committed to a policy of emancipation. The necessary appropriation was finally made, but it was delayed so long that the delegates could not reach Panama in time for the congress.

No president ever encountered more persistent opposition throughout his entire administration than Adams. Party lines became closely drawn once more. The Adams-Clay faction became known as National Republicans and Jackson's followers became known as Democratic Republicans.

In 1824, while the presidential campaign was in progress, a tariff act was passed increasing the duties on iron, wool, hemp, and other articles produced in the Middle and Western States. It was carried by the votes of these States, for the South was almost a unit against it and New England was divided, casting fifteen votes for, and twenty-three against, the measure. It did not help New England manufactures, and the commercial and shipping interests were at this time opposed to high tariffs. A protective policy was one of the cardinal features of Clay's American system, and the new administration was committed to this policy.

The tariff becomes a sectional issue

The attitude of the opposition was not clearly defined. The South had come to realize that tariff duties were a heavy burden on the slave States. On the other hand, the protective policy was popular in New York, Pennsylvania, and

Ohio, whose votes would be essential to Jackson's success in 1828. A convention of protectionists was held at Harrisburg, Pennsylvania, in the summer of 1827 for the purpose of urging further legislation upon Congress. The administration thought that by pushing the tariff question to the front they could bring about a split between the Jackson men of the North and the Jackson men of the South.

The new Congress which met in December, 1827, was controlled by the Jackson men, but they had the tariff situation to face and it was necessary to devise some scheme to get themselves out of the dilemma and prevent a split in their party. The committee on manufactures reported a bill on the last day of January, 1828, which was very cleverly devised. It raised the duties on hemp, flax, wool, and other raw materials, which were produced in the West, but on which New England wanted the duties to be low. The Jackson men from the North and from the South were to unite in opposing any amendments. The Southerners were then to vote against the bill, and the Jackson men of the North and West for it.

It was expected that the New England men would vote against the measure, in which case it would be defeated and the Adams party would get the blame, while the Jackson men of the North could still claim to be advocates of protection. To the surprise of its framers enough Adams men voted for the bill to carry it through both the House and the Senate. Calhoun, who had been active in planning the whole scheme, was utterly disgusted, and during the summer he wrote for a committee of the South Carolina legislature a report which became known as "The South Carolina Exposition." This paper discussed the relations of the State and Federal governments and expounded the doctrine of nullification, which South Carolina undertook to put into practice four years later.

The campaign of 1824 had seen the end of the caucus system of nominations, and the convention system did not appear until 1832. In 1828 the candidates were endorsed by State legislatures, but there was never much doubt as to who they would be.

The election
of Jackson,
1828

Jackson began his campaign as soon as the election of Adams by the House in 1825 was announced. He demanded vindication by the votes of the people. Calhoun was again a candidate for the vice-presidency. The National Republicans supported Adams for a second term, and with him was associated for the vice-presidency Richard Rush, of Pennsylvania. Jackson received 178 electoral votes to Adams's 83. He swept the entire South and West and divided the vote in the Middle States. Adams, on the other hand, got every electoral vote in New England, save one in Maine, but he did not receive a single electoral vote south of the Potomac or west of the Alleghanies.

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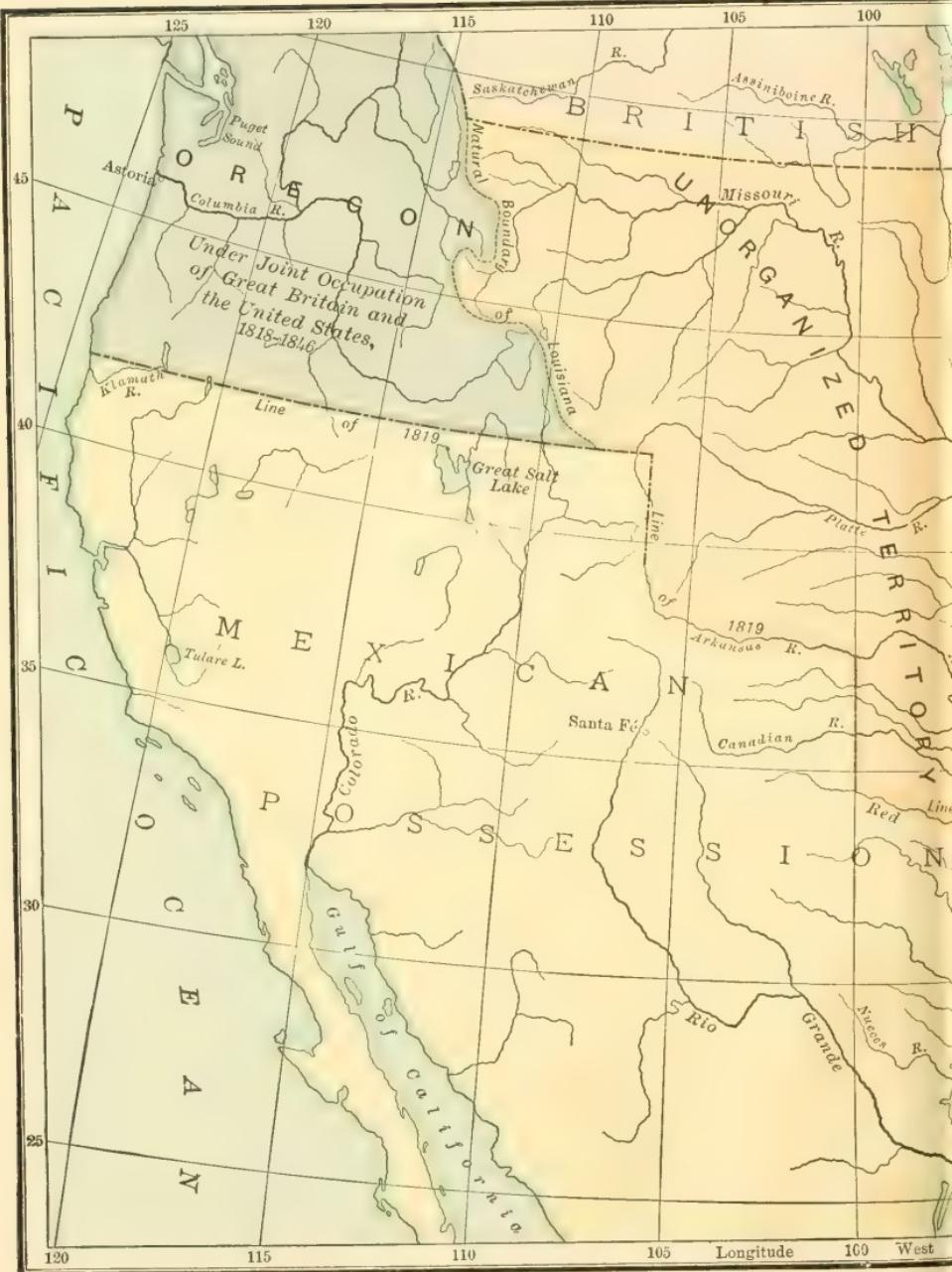
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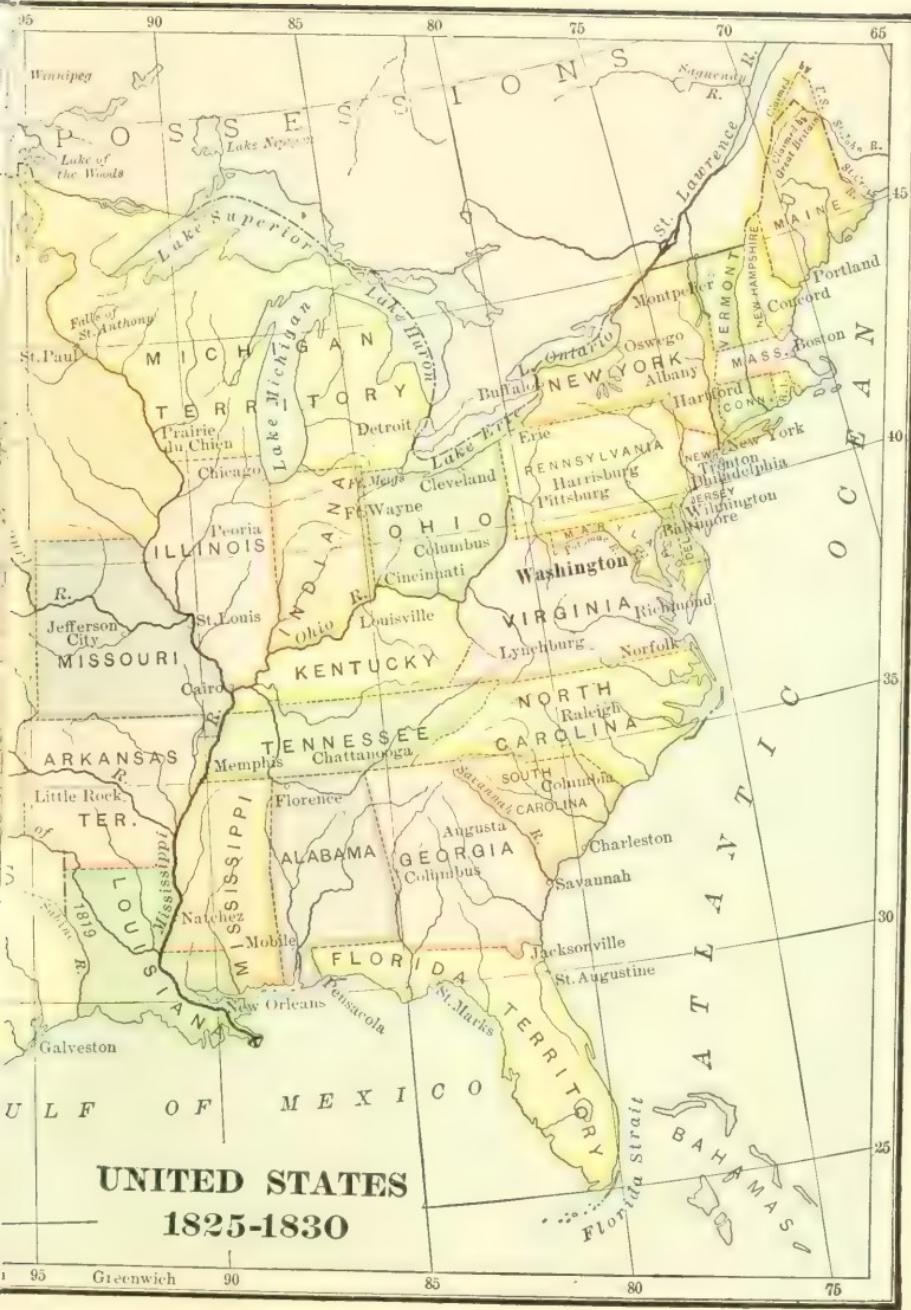
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General
character-
istics of the
period,
1830-1860

PART IV

SECTIONAL DIVERGENCE

CHAPTER XVI

JACKSONIAN DEMOCRACY

THE year 1830 marks the opening of the great sectional debate in Congress which culminated thirty years later in secession and civil war. In order to understand the long series of events leading up to that terrible conflict it is necessary to have a clear apprehension of the underlying economic differences between the North and the South which formed the basis of sectionalism.

The South was by nature an agricultural and exporting section, while the North was commercial and manufacturing. During the decade 1820-1830 the average annual value of the exports of cotton, tobacco, and rice was about \$33,000,000, while all other domestic exports from the entire country amounted to only \$20,000,000. The South was dependent upon foreign markets for the sale of its products and therefore advocated free trade, while the North felt that its development was dependent upon the protection of its industries and the creation of a home market.

Slave labor was not suited to the climate or to the diversified industry of the North, while it flourished under Southern skies and was ideally adapted to the cultivation of the staple crops of tobacco, rice, sugar, and cotton. As free and slave labor are mutually exclusive, free labor became in time

the fixed type at the North, and slave labor the fixed type at the South. Under the impetus of skilled labor Northern industries became more and more diversified, while the South was limited by its labor system to a few staple products. The expansive agricultural system of the South demanded a liberal public land policy, while the North on account of the scarcity of labor tried to restrict the sale of public lands, and to retard the westward movement of population. In like manner the South favored territorial expansion, and the North opposed it.

Foreign immigration further accentuated sectionalism, for it passed by the South where it had to face the competition of slave labor, and poured over the North and West. Immigration did not become a very important factor until the latter half of the period under consideration. The number of foreigners coming to our shores was not recorded until 1820. From that time on the figures by decades are as follows: 1820-1830, 143,439; 1830-1840, 599,125; 1840-1850, 1,713,251; 1850-1860, 2,598,214. Many of these immigrants were skilled laborers, familiar with the industrial methods and processes of the old world, and they expanded further the naturally diversified industries of the North and West, changing the whole face of civilization, while the South remained fixed in its economic system.

Effect of foreign immigration on the sections

The significance of foreign immigration was as great on its political as on its economic side. The newcomers, imbued with European ideas of government and without inherited State or local ties, swelled immensely the forces that were making for nationality. The South, it is true, expanded territorially, but the main features of its social and industrial system underwent scarcely any modification, while the rest of the country became more and more unlike that section in fundamental social structure.

As soon as the South began to feel its isolation and to realize

the danger of being outvoted on vital questions of economic policy, it assumed the defensive and took refuge behind the doctrine of State sovereignty. A generation of Southerners then grew up under the leadership of Calhoun who stoutly opposed the new doctrine of national sovereignty as preached by Webster, and regarded the preservation of the Union on the terms of the original compact as the most vital of all issues.

In 1830 the population of the United States was 12,866,000, showing an increase of about thirty-three per cent over the census of 1820. Each succeeding census showed as large a rate of increase until 1860, when the total population of the country was 31,443,000.

Growth and distribution of population

In 1830 there were 2,009,000 slaves and over 300,000 free blacks. The white population of the free States was at this time 6,871,000 and that of the slave States 3,660,000. Taking the white population by sections, the Middle and New England States had 5,417,000; the slave States bordering on the Atlantic from Delaware to Florida had 2,116,000; while the remaining States, then constituting the West, had 2,998,000. The combination of the South and West was strong enough, with the aid of New York or Pennsylvania, to keep the Democratic party in power, and only twice between 1830 and 1860 did this party fail to elect its candidate for the presidency.

The election of Jackson in 1828 introduced a new era in American polities. It represented the triumph of western or frontier democracy over the conservatism of the eastern States. Jackson himself was totally different in character, training, and experience from his predecessors. All of the other presidents had been reared amid scenes of culture and refinement and had been tried in high executive or diplomatic positions before being called to the highest office in the Nation. Jackson was a product of the southwestern frontier and had lost little of

The triumph of western democracy

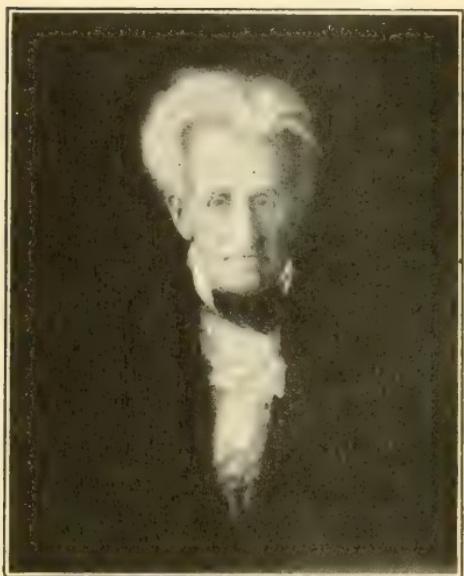
the self-reliance, of the restless activity, of the intolerance of opposition, and of the sense of loyalty to his friends, which had enabled him to make his way to the front in that somewhat boisterous community. At the same time he had a dignified reserve and a stately courtesy which placed him at

perfect ease in the most refined society. His democracy was also of a new type and different from that of Jefferson. Jefferson believed in a democracy restrained by law; Jackson believed in a democracy which knew no restraint but the will of the people.

Van Buren, the secretary of state, was the only man of marked ability in Jackson's first cabinet and the only one on whose judgment he placed much reliance,

though Eaton, the secretary of war, and Barry, the post-Jackson's master-general, also enjoyed his confidence. In advisers addition to these he had outside of the cabinet a group of personal friends and political supporters who constituted his real advisers. Among them were Major W. B. Lewis, Amos Kendall, Isaac Hill, and Duff Green, who was soon supplanted by F. P. Blair. This group of unofficial advisers was popularly called the "Kitchen Cabinet," because it was commonly said that they went in and out of the White House through the back door.

Jackson's inauguration was indicative of the change that had taken place. Never before had so many office seekers



ANDREW JACKSON.

or such large crowds gathered in Washington. The streets were filled with people, and the crowds surged into the White House without restraint to attend the president's ^{The spoils system} reception, standing on chairs and sofas, jostling the waiters and overturning trays of costly china in their eagerness to be served.

The people had at last come into their own.

Jackson honestly shared the general belief that the administration of Adams had been thoroughly corrupt, and he made no effort to check the general demand of his friends for a division of the spoils of government patronage. He believed that honesty was of greater importance than experience in public office and he favored the principle of rotation in office. "To the victors belong the spoils" was accepted as a political maxim. While Jackson made a larger number of removals than any of his predecessors, he did not remove as many office-holders as some of his successors. In fact for the next fifty years the spoils system flourished without serious effort to check it.

In December, 1829, Senator Foote of Connecticut introduced a resolution questioning the expediency of the further survey and sale of public lands, which came up for consideration in January and precipitated the most memorable debate ever held in



THOMAS H. BENTON.

Foote's
resolution
and the
Hayne-
Webster
debate

the United States Senate. Benton, of Missouri, and other western senators resented any attempt of the New England States to check the rapid sales of public lands as an attack on their section, and Benton's speech on Foote's resolution aroused much bitter feeling in the Senate.

Hayne of South Carolina opposed the resolution on constitutional grounds. He held that Congress had no right to pass laws that would bear more heavily on one section than another, and intimated that a State need not submit to hostile legislation. It was evident that he had the tariff in mind and was endeavoring to further cement the political union of the South and West. Webster replied to Hayne and the debate soon took a wide range involving the nature of the Federal Union and the principles of constitutional construction. Hayne expounded the views advanced by Calhoun in the "South Carolina Exposition," while Webster maintained that the Union had been formed by the people and not by the States, that the national government was sovereign within the range of powers specified in the Constitution, and that nullification carried into practice would be nothing short of revolution.

Webster's argument made a great impression in the North, and while some of his positions were historically untrue, he gave voice to sentiments of national sovereignty that were rapidly gaining ground in his section of the country. Foote's resolution failed to pass and the public land policy advocated by the South and West became a little later firmly established.

Calhoun, who was the real leader of the nullification movement, was now trying to gain support for his doctrine.

The breach between Calhoun and Jackson He failed to receive any encouragement from the Virginians who were in close alliance with the New York wing of the party now dominated by Van Buren. He also failed to receive the support of Georgia, which was engaged in a long controversy with the

Cherokee Indians involving the question of State's rights, for Jackson sided with the State of Georgia and notified the Indians that they must move beyond the Mississippi.

Meanwhile Jackson and Calhoun had been gradually drifting apart. Early in his administration the president had been deeply offended by the effort of Mrs. Calhoun and other ladies connected with the administration to withhold social recognition from the wife of the secretary of war, Mrs. Eaton, who as Peggy O'Neal, the daughter of a Washington tavern keeper, had attained a questionable notoriety in her younger days. Van Buren, who was a widower, had stood by Jackson in his defense of Mrs. Eaton, and this had drawn the president into closer relations with his secretary of state. Still there had been no open breach with Calhoun, and Jackson's attitude on nullification was not definitely known.

Calhoun and his friends now planned a great banquet for Jefferson's birthday, April 13, 1830, at which they hoped to entrap the president into some expression of approval of nullification. When called upon, Jackson surprised them by proposing as his toast this sentiment, "Our Federal Union; it must be preserved." Calhoun, who followed him, replied with the toast, "The Union, next to our liberty, most dear."

It had already been intimated to Jackson that Calhoun as secretary of war in Monroe's administration had disapproved of his rash conduct in Florida, although Calhoun had written him a letter, at the direction of the president, congratulating him on his success. Shortly after the Jefferson-day dinner a letter was obtained from Crawford, who had also been a member of Monroe's cabinet, stating that Calhoun had advised censuring Jackson for his conduct in Florida. This letter was shown to the president, and he at once called on Calhoun for an explanation. An angry correspondence ensued between the president and vice-president, which resulted in an open breach. It also resulted in

the complete reorganization of the cabinet, so as to exclude the Calhounites and place the Van Buren faction in control.

Jackson favored a single term for the president and wanted the Constitution amended to that effect, but as the time

Renomination of Jackson for nominating candidates drew near, his friends insisted that he should accept a second term, and a number of State legislatures renominated him.

He feared that if he declined to run Calhoun might win the nomination over Van Buren, and he readily complied with the demand of his friends. The dominant party was now known as the Democratic party, and Clay had organized the National Republicans, soon to be known as Whigs, into a strong opposition party.

A third party now made its appearance and nominated a candidate for the presidency. This was the Anti-Masonic party which originated in New York. In 1826 William Morgan, of Batavia, New York, who had published a book revealing the secrets of freemasonry, mysteriously disappeared, and it was generally believed that members of the Masonic Order had murdered him. The Masons were bitterly denounced and a widespread movement was at once organized for the purpose of suppressing the Order. In September, 1831, the new party held a national convention in Baltimore and nominated William Wirt for the presidency. This was the first national nominating convention, and the example of the Anti-Masonic party was at once followed by the other parties.

The National Republicans held a convention in Baltimore in December and nominated Henry Clay. At the suggestion of this convention an informal assembly of young men was held in Washington in May, 1832, for the purpose of ratifying the nomination of Clay. This Washington gathering adopted and published the first political platform. Later in the same month the Democrats held a convention in Baltimore for the purpose of nominating a candidate for vice-

president. The nomination of Jackson was accepted without opposition, and after the adoption of the two-thirds rule which has governed all subsequent Democratic conventions, Van Buren was nominated for the vice-presidency.

In searching for a campaign issue Clay made a fatal mistake. As the Northern and Western Democrats favored the tariff he could make little of that issue, and his favorite policy of internal improvements aroused little interest in the East. The Bank of the United States had, however, applied for a new charter and Jackson was known to be strongly opposed to granting it. In his first annual message he had questioned the expediency of rechartering the bank and he had also expressed doubts as to its constitutionality, although the Supreme Court had long since decided that question. The bank was such a formidable institution and Jackson's attitude appeared so unreasonable that in July, 1832, in the midst of the campaign, Clay's friends pushed through Congress the bill rechartering the bank, hoping to embarrass Jackson. The president promptly vetoed the bill in an able message in which he denounced the bank as a monopoly.

The campaign was now fought out on the bank issue, but contrary to Clay's expectations Jackson's position met with widespread approval and he received 219 electoral votes to Clay's 49. South Carolina, not wishing to vote for Jackson, cast her eleven votes for John Floyd of Virginia. Clay carried Massachusetts, Connecticut, Rhode Island, Maryland, Delaware, and Kentucky, and the Anti-Masonic party carried Vermont. Jackson carried all the other States.

Meanwhile in July Congress had passed a new tariff act and the president had signed it. This act was distinctly a protectionist measure. While it did away with most of the "abominations" of 1828, it levied high duties on cotton and woolen goods, iron, and other articles produced in this

South
Carolina
passes the
Ordinance
of Nullifica-
tion,
November
24, 1832

country. On articles not produced in the United States it reduced the duties or removed them altogether. The average rate on dutiable articles was about 33 per cent. It satisfied the demands of the protectionists and laid down a principle which they hoped would be permanently established.

To Calhoun and his followers the new tariff was much more objectionable in principle than the acts of 1824 and 1828, and in October the legislature of South Carolina sum-

moned a convention to meet in November for the purpose of considering what action the State should take. On November 24 the convention passed the Ordinance of Nullification, declaring the tariff acts of 1828 and 1832 unconstitutional, null and void, and directed the legislature to take the necessary steps to prevent the enforcement of the said acts within the limits of South Carolina after February 1, 1833.

A black and white portrait engraving of John C. Calhoun. He is shown from the chest up, wearing a dark, high-collared coat over a white cravat and a patterned waistcoat. His hair is powdered and styled upwards. He has a serious expression and is looking slightly to the right.

JOHN C. CALHOUN.

Hayne resigned his seat in the Senate to become governor of South Carolina, and was succeeded by Calhoun, who resigned the vice-presidency in order to be free to defend the action of his State on the floor. But Jackson was in no wise disconcerted. In December he issued a long proclamation to the people of South Carolina, in which he denounced nullification as unconstitutional and secession as treasonable and declared that

The com-
promise
tariff of 1833

the laws of the United States must be executed. In January, 1833, two measures were taken up in Congress. One was the "Force Bill," authorizing the president to use the army and navy in enforcing the law, and the other was a tariff bill, proposing a reduction of duties.

As February 1, the time when the Ordinance of Nullification was to go into effect, drew near, the nullifiers agreed to await the outcome of the tariff discussion before resorting to force. Finally Clay introduced a compromise tariff bill, which provided for a gradual reduction of all duties in excess of 20 per cent until July 1, 1842, when there would be a uniform rate of 20 per cent, which was what the Southerners demanded. For nine years, however, there was to be a large degree of protection. This bill passed Congress a few days before the close of the session and at the same time the "Force Bill" was enacted. The South Carolina convention then reassembled and repealed the Ordinance of Nullification, and then, in order to hit back at the administration, rather foolishly passed an ordinance nullifying the "Force Bill."

Had not the South been divided against itself the outcome might have been different, but with Andrew Jackson in the presidential chair there was little chance of South Carolina being able to resist the enforcement of the law. Still the compromise of 1833 was in a measure a victory for Calhoun and his followers. Except for the brief period of 1842-1846, when the duties were again raised, the protective principle received little further countenance from the national government until the Civil War. The nullification controversy ruined Calhoun's chance of ever becoming president, although he never ceased to cherish that ambition, but it established his position as the recognized champion of Southern interests.

As soon as the nullification controversy was out of the way, Jackson turned his attention to the bank. Most of its

officers were opposed to him politically and it was charged that the bank, particularly the branch bank at Portsmouth,

**Jackson's
"War on
the Bank"** New Hampshire, had discriminated against Jackson's friends and worked for his defeat. Jackson's opposition to the bank was, however, of much longer standing. He believed that it was a dangerous monopoly, and now that the people had indorsed

his position in the campaign of 1832, he decided to withdraw the government funds from the bank without waiting for the expiration of its charter, which was to take place in 1836. His object was to strengthen the State banks by depositing the government funds with them, so that his enemies who controlled the bank could not call in its loans at the last minute and produce a panic or threaten Congress into rechartering the bank over his veto.

NICHOLAS BIDDLE, President of the Bank of the United States.

When Jackson laid his plan before the cabinet he found that Louis McLane, the secretary of the treasury, was

**The removal
of the de-
posits, 1833** unwilling to order the removal of the government deposits from the bank. Jackson transferred him to the State Department and appointed William J. Duane, of Pennsylvania, to succeed him. Duane was flattered at the appointment and accepted the post, but after several months' delay finally refused either to remove



the deposits or to resign. Jackson promptly removed him and transferred Roger B. Taney from the post of attorney-general to that of secretary of the treasury. Taney immediately designated certain State banks as government depositories and ordered all funds deposited in them after October 1. The deposits in the Bank of the United States, amounting to over \$6,000,000, were not withdrawn at once, but were gradually drawn on, so that when the bank closed January 1, 1836, it still had over \$600,000 of government funds.

Clay introduced in the Senate and secured the passage of resolutions censuring Jackson for the removal of the deposits. Benton later moved that the resolutions of censure be expunged and continued to bring up his motion at each session of the Senate until finally in 1837, when there was a majority of Democrats in that body, the expunging resolution passed. The Senate refused to confirm Taney's appointment as secretary of the treasury, but when Marshall died in 1835 Jackson appointed Taney chief justice.

In his annual message of 1835 Jackson announced that the national debt had all been paid, but he warned Congress against future extravagance. Meanwhile a large surplus was accumulating to the credit of the government in the "pet banks," as those selected to receive government funds were called.

The distribution of
the surplus,
1837

Many new banks were organized and political influence was freely used to secure deposits. This system encouraged speculation on a large scale, particularly in government lands, and with the increase in the number of banks there was an enormous increase in bank note currency. The sale of public lands to speculators increased greatly the revenue derived from that source, and what to do with the surplus became a burning political question. The first step would naturally have been to reduce the tariff, but the compromise of 1833 had settled that question for several years to come and no one cared to reopen it.

As Jackson was opposed to internal improvements, the only thing to do seemed to be to distribute the money among the States. In June, 1836, Congress passed an act directing that the surplus in the treasury on January 1, 1837, in excess of \$5,000,000, be distributed among the States in proportion to population in four quarterly installments. As the Constitution did not expressly authorize gifts from the public treasury, the money was to be distributed in the form of a loan. Under this act \$28,000,000 was distributed in three installments, but when the time came for the fourth installment the panic of 1837 had set in and there was not enough money left to continue the distribution. The States were never called upon to repay the loan.

The last measure of financial importance adopted by Jackson was the "Specie Circular" of July 11, 1836. With the inflation of the currency, speculation in public lands had gone on to an amazing extent and payments were made in the notes of State banks of very doubtful value. Jackson had declared himself in favor of gold and silver as the "true constitutional currency," and Benton had introduced a resolution in April, 1836, declaring that "nothing but gold and silver coin ought to be received in payment for public lands," but his motion was tabled. Jackson, therefore, determined to act on his own responsibility in order to prevent the government from finding itself, through the failure of western banks, with a lot of worthless paper on its hands, and in July had a circular letter sent to the land agents directing them to receive in future nothing but gold and silver in payment for public lands. While this measure did not produce, it undoubtedly hastened, the crisis of 1837.

After the Revolution Great Britain had refused to admit American ships to her West Indian ports and Jay had failed to make a satisfactory adjustment in the treaty of 1794. After the War of 1812 efforts to secure concessions were re-

newed, but without success. Congress then adopted a policy of "countervailing legislation" and closed American ports to British ships coming from the West Indies. During the Adams administration Great Britain offered certain concessions, but Adams demanded more than she was willing to concede. Jackson's followers made political capital out of the diplomatic deadlock, and when he became President he adopted a more conciliatory attitude. The British government then expressed its willingness to come to terms and the matter was adjusted, so that American ships were at last admitted to British West Indian ports.

Foreign
affairs: the
West India
trade and
the French
"Spoliation
Claims"

Jackson also pressed with vigor American claims against France arising out of the seizure of ships and cargoes by Napoleon. France finally agreed to pay 25,000,000 francs to be distributed among the claimants by the government of the United States. The satisfactory settlement of these two controversies added greatly to the national prestige and to Jackson's popularity with his countrymen.

By the Florida treaty of 1819 the United States surrendered, as we have seen, whatever claim it had to Texas. Two years later Mexico became independent of Spain and the provinces of Coahuila and Texas were later united and organized as one of the United States of Mexico. Very soon settlers from the United States began pouring into Texas and President Adams, foreseeing trouble with Mexico, authorized the American minister to propose the purchase of Texas. Mexico refused to entertain the proposal at this time or when it was made a second time shortly after Jackson became president. Americans continued to pour into the country notwithstanding the efforts of the Mexican government to check immigration and in spite of hostile legislation directed against the American communities.

The inde-
pendence of
Texas,
1835-1836

In 1835 there were nearly 30,000 Americans in Texas and

they decided to drive out the Mexicans and establish an independent state. The Mexican forces were soon driven across the Rio Grande, but Santa Anna, the president of Mexico, soon appeared with an army of several thousand men. A heroic band of 183 Texans was besieged in the fort of The Alamo at San Antonio and held out for two weeks, when the place was carried by storm. Not a single member of the garrison escaped death. Their heroic defense inspired the Texans to action and Sam Houston quickly collected a

force which defeated Santa Anna in the battle of San Jacinto April 21, 1836. Santa Anna was himself taken prisoner and released two months later only after promising to grant the Texans their independence. His government repudiated this agreement, but took no steps to reconquer the Texans. An independent republic was established with Sam Houston as president, but offers of annexation were made to the



GENERAL SAM HOUSTON.

United States. Jackson, however, deferred action, partly because he did not want to get into trouble with Mexico and partly because he did not wish to inject this question into the presidential campaign then in progress.

Jackson had his party well in hand and he had long decided that Van Buren should be his successor. In May, 1835, more than a year before the usual time for the opening of the presidential campaign, a Democratic convention met in Baltimore and nominated Van Buren by acclamation, though without any great enthusiasm. A ballot was taken for vice-president and Richard M. Johnson of Kentucky was nominated. The Whigs thought it best not to nominate a candidate and held no

The election
of Van
Buren, 1836

convention, but they hoped by running different men in different parts of the country to capture enough electoral votes to throw the election into the House. Van Buren received 170 electoral votes, which was more than a majority. Of the Whig candidates William Henry Harrison received 73 votes, White of Tennessee 26, and Webster of Massachusetts 14. South Carolina, unwilling to vote for Jackson's candidate, cast her 11 votes for Mangum of North Carolina. Johnson did not receive a majority of the electoral votes, but he was chosen vice-president by the Senate.

Although a shrewd political adviser, Van Buren possessed few of the gifts of a popular leader. He labored under the handicap of having received his high office at the hands of Andrew Jackson rather than from the people. He announced his intention of treading in the footsteps of General Jackson, but he lacked Jackson's self-reliance and he soon lost the confidence of his party and of the public at large.

Administration
of Van
Buren

Scarcely had Van Buren taken his seat in the presidential chair when the country entered upon a period of financial depression such as had never been seen before and has been equaled only once since. Van Buren

Financial
panic of
1837

was in no way responsible for this state of affairs. The crisis had been brought about by overspeculation, and it had been hastened by Jackson's financial policy. The Whigs charged it all to the destruction of the bank and hoped to force the establishment of a new one. Van Buren proposed instead the absolute divorce of the government from the banks and got introduced into Congress the "Independent Treasury Bill," which provided that the government should keep its fund locked up in the vaults of the treasury and of subtreasuries to be established in different parts of the country. The bill was twice defeated, but it finally became a law in 1840.

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CHAPTER XVII

THE PERIOD OF THE MEXICAN WAR

IN spite of Van Buren's unpopularity and the misfortunes of his administration no other aspirant appeared to contest

his party leadership and he was renominated without opposition by a convention which met in Baltimore May 5, 1840. As there were several candidates for the vice-presidential nomination the convention decided not to choose between them, expecting that the choice would ultimately devolve upon the Senate. A platform was adopted embodying the characteristic principles of Jeffersonian and Jacksonian democracy.

The election
of Harrison
and Tyler,
1840



HENRY CLAY.

The Whigs had already held their convention at Harrisburg, Pennsylvania, December 4, 1839. Clay, who had been the most active organizer of the party, was eager for the nomination, but as the party was made up of such diverse elements it was deemed best to nominate William Henry Harrison,

whose political principles were not so clearly defined or so well known. For the vice-presidency they nominated John Tyler of Virginia, a strict-constructionist Democrat, whose opposition to Jackson had carried him into the Whig party.

As the Whigs could not agree upon a platform, they decided to conduct a spectacular campaign and to arouse popular enthusiasm for the old hero of Tippecanoe. Log cabins were drawn through the streets on floats, with barrels of cider outside and live raccoons tied to the door. The campaign was turned into a carnival of merrymaking and the immense throngs that gathered at street parades and mass meetings joined in singing popular songs ending in the refrain of "Tippecanoe and Tyler too." These methods were successful. Harrison and Tyler received 234 electoral votes and Van Buren only 60. This campaign is also memorable for the appearance of the Abolition party, which nominated James G. Birney of New York as its first candidate for the presidency.

Office-seekers flocked to Harrison's inauguration in even larger numbers than had attended the first inauguration of

Death of Jackson, and notwithstanding the fact that the **Harrison, Whig party had bitterly denounced Jackson's April 4, 1841** removals from office, the demands of Harrison's followers were overwhelming. The president, who was sixty-eight years of age, could not stand the strain, and exactly one month after his inauguration he suddenly succumbed to an attack of pneumonia.

For the first time in the history of the country the vice-president succeeded. Even had Harrison lived it would have been a difficult task to hold together a party formed out of the various elements that had opposed Jackson, but with Tyler the case was hopeless, for he was entirely out of sympathy with the dominant faction headed by Clay, and now that Harrison was dead Clay regarded himself as the responsible leader charged with carrying out the party program.

Tyler retained for the present Harrison's cabinet, with Daniel Webster as secretary of state and friends of Clay in the other departments. When Congress met in extra session on the last of May, in pursuance of a call issued by Harrison shortly before his death, Clay promptly announced his program, which included the repeal of the subtreasury act, the incorporation of a new bank, and the enactment of a new tariff law.

Tyler's
break with
the Whigs

Tyler did not like Clay's assumption of party leadership and when the bill establishing a bank in the District of Columbia with branches in the States was presented for his signature he vetoed it. The Whig leaders were greatly disconcerted, but they sent one of their number to the president with the draft of a new bill for a "Fiscal Corporation," omitting certain features of the first bill and avoiding the use of the word bank. Tyler suggested certain further changes in the phraseology of the bill, which were promptly agreed to, and in due course it passed Congress and was presented again for his approval. His resolution wavered and, after several days' consideration, finding himself unable to overcome his constitutional objections to a bank in any form, he returned the bill with his veto.

The Whigs were thoroughly enraged and all the members of the cabinet except Webster resigned, denouncing Tyler's bad faith. Clay summoned a party caucus, which formally declared that "all political connection between them and John Tyler was at an end." Tyler agreed to the repeal of the subtreasury act and the following year signed the tariff act of August 30, 1842, which reestablished the protective principle.

Webster had remained in Tyler's cabinet partly because he did not care to acknowledge Clay's leadership and partly because of important negotiations then pending with Great Britain. The boundary between Maine and New Brunswick as defined in the treaty of 1783 had been the subject of serious dis-

The
Webster-
Ashburton
Treaty, 1842

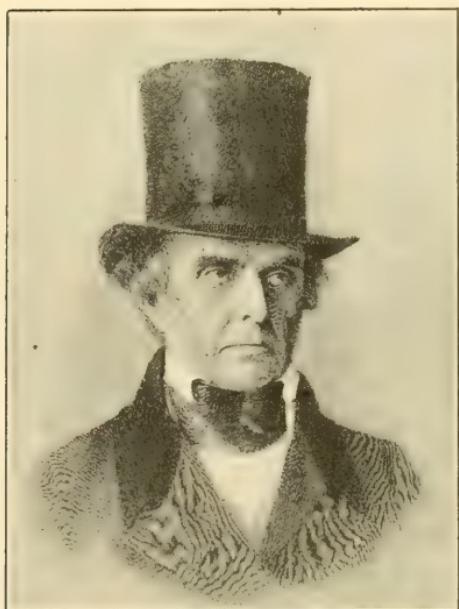
pute. Maine settlers had pushed into the valley of the Aroostook, the ownership of which was in dispute, and in 1838 and 1839 a border warfare was imminent. The legislature of Maine made an appropriation for defense and Congress authorized the president to resist any attempt of Great Britain to enforce exclusive jurisdiction over the disputed

territory. General Scott was sent to the scene of action and put a stop to the so-called "Aroostook War" by arranging a truce and joint occupation until the matter could be adjusted diplomatically.

When Webster became secretary of state he took the matter up and finally on August 9, 1842, signed with Lord Ashburton a treaty, which adjusted satisfactorily not only the Maine boundary, but the boundary from Lake Superior to the Lake of

the Woods and as far west as the Rocky Mountains. The treaty also contained a clause binding the two parties to maintain on the African coast large enough squadrons to suppress effectually the slave trade.

A few months after the signature of the treaty with England Webster resigned from the cabinet and was succeeded **The Texas question** by A. P. Upshur of Virginia. Having been repudiated by the Whigs, Tyler was now trying to build up a Democratic party of his own, but most of the old Jackson men held aloof. The annexation of Texas had now



DANIEL WEBSTER.

become a leading political issue and on this question he hoped to unite the South behind him. But for the opposition of the antislavery people Texas would have been annexed in 1837. But Jackson, as we have seen, thought it prudent to postpone the question and avoid making it a political issue.

Tyler's attention was drawn to Texas by the intrigues of Great Britain and France with the officials of that republic and with Mexico, intrigues which recent investigations show were more hostile to the United States than even Tyler supposed. Upshur was secretly negotiating a treaty of annexation when he and the secretary of the navy were blown up by an accidental explosion on the gunboat *Princeton* in February, 1844. Calhoun was now invited to accept the position of secretary of state and the treaty was concluded April 12, but it was rejected by the Senate. The question of annexation became the leading issue in the presidential campaign which was just opening.

The annexation of Texas was inevitable. So far from being forced on the country as the result of a slaveholders' conspiracy, it was a perfectly natural step in American expansion and but for the growing antislavery sentiment it would have encountered little opposition outside of New England. As soon as it became known in 1843 that Tyler was contemplating annexation, John Quincy Adams, who had tried to purchase Texas when president, presented the following resolution to the committee on Foreign Relations: "That any attempt of the government of the United States, by an act of Congress or by treaty, to annex to this Union the republic of Texas, or the people thereof, would be a violation of the Constitution of the United States, null and void, and to which the free States of this Union and their people ought not to submit." The committee refused to report the resolution to the House, but Adams, Giddings, and other antislavery leaders issued an address to the people of the free States, de-

Antislavery
leaders
threaten
secession,
1843

elaring "that annexation, effected by any act or proceeding of the Federal government, or any of its departments, would be identical with dissolution," that "it would be a violation of our national compact" to which they were confident the people of the free States would not submit, and that it would not only result in a dissolution of the Union, but fully justify it.

The Webster-Ashburton treaty had agreed upon the 49th parallel as the boundary between the United States and Canada from the Lake of the Woods to the Rocky Mountains. West of the mountains the Oregon country was still in dispute. The claims of the United States were based on Captain Gray's discovery of the Columbia River in 1791, the expedition of Lewis and Clark, and the Florida treaty, in which Spain had accepted the 42d parallel as the northern boundary of her possessions. The British claims were based on the voyage of Captain Cook in 1778 and on the trading stations established in the region by the Hudson Bay Company. Russia had also laid claim to the region, but England and the United States had united in opposing her, and by treaties of 1824 and 1825 she had abandoned all claim to the coast south of $54^{\circ} 40'$. In 1818 England and the United States had agreed to the joint occupation of the territory without prejudice to the claims of either party and this arrangement had been continued indefinitely in 1827, subject to termination on twelve months' notice by either party.

By 1844 a large number of Americans had gone to Oregon, especially from Missouri, and they urged the government to look out for their interests. The United States had been willing to adopt the 49th parallel as the boundary, but England had rejected this proposition, as she wanted her possessions to extend as far south as the Columbia River. Americans now began to claim the whole of Oregon, and the question was united with that of Texas annexation. "Fifty-

four Forty or Fight" became one of the slogans of the campaign of 1844.

When the Democratic convention met in Baltimore, May 27, 1844, it was found that a majority of the delegates were committed to Van Buren, who still retained his hold on the party organization and still had the backing of Andrew Jackson. The two-thirds rule had in previous conventions been applied in the selection of the vice-president, but there had never been any balloting in nominating a candidate for the presidency and Van Buren's friends held that there was no reason why it should be applied. After a discussion lasting the greater part of two days the two-thirds rule was finally reaffirmed. This action defeated Van Buren, for he had written a letter shortly before the meeting of the convention in which he had opposed the annexation of Texas on the ground that it could not be accomplished without a war with Mexico, and he could not command enough Southern delegates to give him the necessary two-thirds vote.

The nomination of Polk, 1844

An effort was then made to nominate Lewis Cass of Michigan, while R. M. Johnson and James Buchanan each had a strong following also. The name of James K. Polk of Tennessee was presented to the convention on the eighth ballot and on the ninth he was nominated. He had served for a time as speaker of the House and had also been governor of Tennessee, but he had never been seriously considered for the presidency and his nomination was a surprise to the country. He was the first "dark horse." George M. Dallas of Pennsylvania was nominated for the vice-presidency. The platform urged the "re-occupation of Oregon and the re-annexation of Texas at the earliest practicable period."

The Whig convention had been held in Baltimore four weeks before the Democratic convention, and Henry Clay had been nominated by acclamation. He had expected to be opposed by Van Buren and he had taken substantially the

same attitude on the Texas question. Polk's open advocacy of annexation threatened to draw off Clay's Southern following,

The candidacy of Clay and the outcome of the campaign

so that as the campaign advanced Clay wrote letters to his Southern friends in which he tried to hedge on the question of annexation. While this shifting of position enabled him to carry North Carolina and Tennessee it caused him to lose New

York, where the Abolitionist candidate drew enough of his strength to give the State to Polk.

Polk, also, had to do some hedging on the tariff question in order to hold Pennsylvania, but expansion was the paramount issue and on this issue Polk was elected, receiving 170 electoral votes to Clay's 105. The Abolitionist party, which had received about 7000 votes in 1840, again nominated Birney on a stirring platform and received over 65,000 votes.

The election had settled the question of the annexation of Texas, and Tyler, who was now working with the Democrats, without waiting for Polk to come into office, hurried through Congress in the last days of his administration a bill providing for the annexation

Annexation of Texas,

March 1,

1845

of Texas by joint resolution. It provided that Texas should be admitted as a State and that with her consent four other States might be formed out of her territory, but that in any State so formed north of the Missouri Compromise line neither slavery nor involuntary servitude should be permitted. The Republic of Texas agreed to the proposed terms, adopted a State constitution, and by joint resolution of December 29, 1845, was admitted into the Union as the State of Texas.

It was formerly the practice of American historians to portray Polk as a man of second-rate ability and to denounce

The administration of Polk

the Mexican War, which was the most important event of his administration, as a national crime into which he ruthlessly led the country. As a matter of fact few, if any, presidents have carried out pre-

determined policies with greater success or ruled their party with a stronger will. The Mexican War was the necessary result of the annexation of Texas, as both Clay and Van Buren had foreseen and asserted in the early stages of the presidential campaign, and Polk was no more responsible for it than the thousands of his fellow citizens who had voted for him. Polk selected an able cabinet. James Buchanan became secretary of state, Robert J. Walker secretary of the treasury, William L. Marcy secretary of war, John Y. Mason attorney-general, and George Bancroft secretary of the navy. In 1846 Bancroft was sent as minister to England, but during his term in the cabinet he succeeded in getting Congress to establish the Naval Academy at Annapolis.

While Polk had tried to avoid taking a positive stand on the tariff, Secretary Walker, who professed to be an advocate of free trade, suggested in his first report a reduction of the duties, and a bill drawn at his dictation was enacted into law July 30, 1846. As a matter of fact, it was far from being a free trade measure, for it still afforded a considerable degree of protection, but it proved to be a very satisfactory law and continued in force until 1857, when the duties were still further lowered. The reduction of the tariff caused the Democrats to lose Pennsylvania at the Congressional election of 1846 and at the presidential election of 1848. Another measure of importance of about the same date was the reënactment of the independent treasury act, which the Whigs had repealed in 1841. This method of handling the public funds, first suggested by Van Buren, now became a permanent policy.

Before the close of Tyler's administration Congress undertook to carry out the pledge of the Democratic platform relating to Oregon, and the House passed a bill February 3, 1845, providing for the organization of a territorial government with the parallel of $54^{\circ} 40'$ as the northern limit, but the Senate

Adjustment
of the
Oregon dis-
pute by
treaty, June
15, 1846

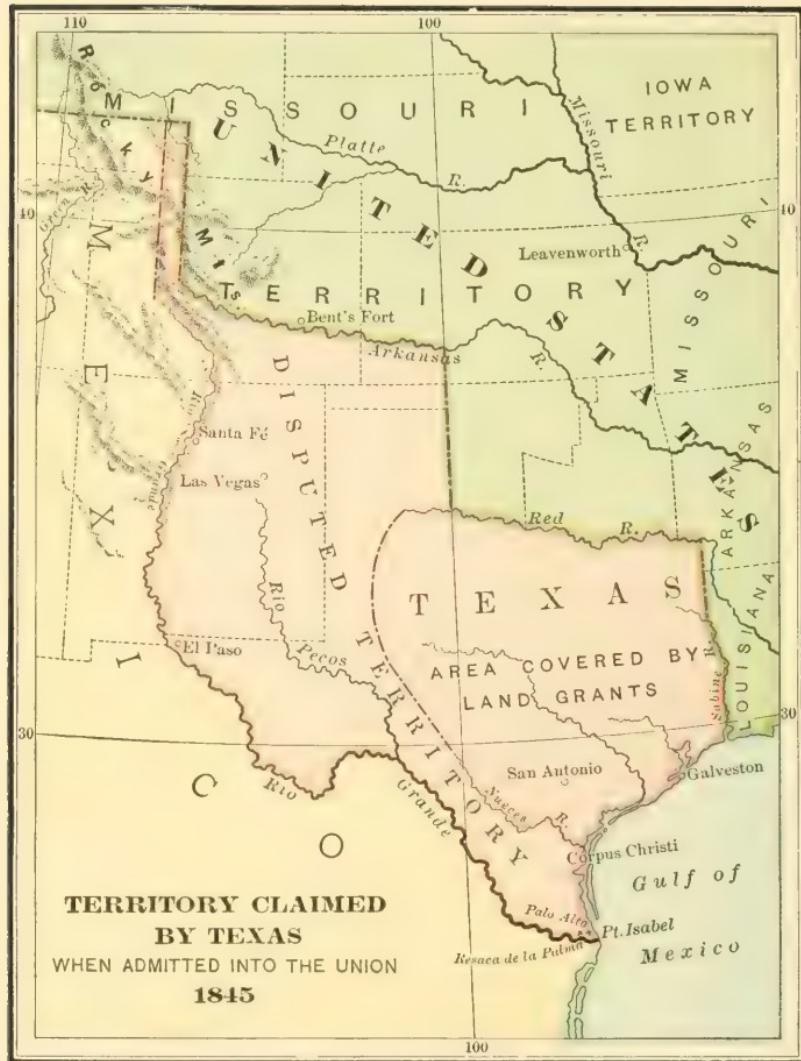
refused to concur. When Polk came into office he took the matter up with vigor. He first offered to compromise with England on the line of the 49th degree, and when this offer was declined he asked permission of Congress to give the necessary notice for the termination of the joint-occupation agreement, to provide for the military defense of the territory, and to extend over it the laws of the United States. In April, 1846, notice was given to England, but at the same time the hope was expressed that the matter might be adjusted diplomatically.

As Polk had correctly surmised, England had no intention of going to war over the dispute, and as soon as it was evident that the United States was in earnest she gracefully yielded and accepted the terms which had first been proposed. By the treaty of June 15, 1846, the boundary was fixed at the 49th parallel. As war with Mexico was now imminent, the public generally approved of the compromise, though the criticism was made by some at the North that the South, having secured in Texas a large addition to slave territory, was now indifferent about the expansion of free territory.

As Mexico had never recognized the independence of the Republic of Texas, she protested against its annexation to the United States and promptly withdrew her minister from Washington. The rupture of diplomatic relations under such circumstances usually leads to war and it did so in this case. Furthermore a mass of claims of American citizens against Mexico had accumulated in the State Department, and Mexico had persistently refused to recognize them or to submit them to arbitration.

As Mexico refused to be reconciled to the loss of Texas and its annexation to the United States, she refused, of course, to agree upon any boundary. Santa Anna had agreed to the Rio Grande as the southwestern boundary of Texas, but his entire arrangement had been repudiated by Mexico. As a Mexican province





Texas had extended only to the Nueces River. The southern bank of the Nueces was occupied by the Texans, but from that point to the Rio Grande the region was uninhabited. When Polk came into office he determined to adjust these matters and also, if possible, to acquire California, which was sparsely settled and not likely to continue in the hands of a weak power like Mexico. Polk had the foresight to see the immense importance to the United States of the Pacific coast. Had Great Britain been permitted to acquire the whole of Oregon, she would inevitably have acquired California too and thus shut us off entirely from the Pacific. Negotiations with Great Britain and with Mexico were simultaneously pushed by him with characteristic vigor.

Polk hoped to arrive at an amicable adjustment with Mexico, but in case diplomacy failed he was prepared for war. In November, 1845, he dispatched John Slidell Slidell's mission to Mexico with the hope of reëstablishing diplomatic relations. Slidell was instructed to bring to the attention of the Mexican government the claims of American citizens and the question of the Texas boundary, and to offer \$30,000,000 for California and New Mexico. In case Mexico was willing to sell this territory and accept the Rio Grande boundary, the United States would agree to assume the claims of its citizens. The Mexican government refused to receive Slidell or to entertain his proposals.

Meanwhile, General Zachary Taylor was stationed with a force of 3500 men on the southern bank of the Nueces River, having been sent there as soon as annexation was decided on for the purpose of guarding the frontier against invasion. As soon as the failure of Slidell's mission became known, Polk ordered Taylor to advance to the north bank of the Rio Grande.

General
Taylor
occupies the
disputed
area

The order was promptly obeyed and Taylor stationed his troops in a commanding position opposite Matamoros, where the principal Mexican force was concentrated. The Mexican

general regarded this as an invasion of Mexican territory and notified General Taylor that he must break his camp within twenty-four hours and retire beyond the Nueces River.

This of course he refused to do and on the 24th of April a Mexican force crossed over to the north bank of the river war declared and fell on an American detachment, which they captured after killing or wounding sixteen men. In his message of May 11, 1846, the president laid these facts before Congress, together with the papers relating to Slidell's mission, and declared that war existed "by the act of Mexico herself," that she had "invaded our territory and shed American blood upon American soil." Two days later Congress passed an act for the prosecution of the Mexican War, authorizing the enlistment of 50,000 men and appropriating \$10,000,000.

When hostilities began General Taylor had to fall back to protect his base of supplies, but he soon advanced again General Taylor's advance and in the battles of Palo Alto and Resaca de la Palma on May 8 and 9 defeated and routed a Mexican force of nearly double his number under General Arista. He then crossed the river and on the 18th occupied Matamoros. His force was soon increased to 12,000, only half of whom, however, were properly equipped. On September 24, after three days of continuous fighting, he captured Monterey, which was strongly fortified and held by a force of 10,000 men under General Ampudia. He then advanced to Saltillo and Victoria, while the navy took possession of Tampico.

As the Mexican government was not yet inclined to come to terms, President Polk decided to send an expedition against the City of Mexico by way of Vera Cruz. Taylor was a Whig and his victories had brought him such great popularity that his name was already being mentioned for the presidency. Polk concluded that Taylor had won glory enough for one man, and not being able to find a Democrat in the army to

whom he could entrust the command of the new expedition, he was finally forced to give it to another Whig, General Winfield Scott. At the same time Taylor was ordered to send a large part of his force to join Scott. A copy of this order fell into the hands of the Mexicans and General Santa Anna at once decided to concentrate his forces in the north and crush Taylor before Scott could advance against the City of Mexico. As Santa Anna approached with 20,000 men, Taylor took a strong position in the pass of Buena Vista, where he was attacked February 23, 1847, and although outnumbered four to one, he held his position against a fierce assault that lasted for two days. As Scott's expedition was about to land at Vera Cruz, Santa Anna hastened back to the defense of the capital, and Taylor remained in undisturbed control of the region south of the Rio Grande.

Meanwhile Colonel Stephen Kearney had left Fort Leavenworth for California with a small force shortly after war was declared, and after taking possession of Santa Fé had continued his march to San Diego by way of the Gila Valley. When he reached California in December, 1846, he found that the American fleet had already taken possession of San Francisco and Monterey and that most of the Mexican garrisons had been driven from the country. This result had been brought about by the combined efforts of the navy and a small force of Americans raised by Captain John C. Frémont, who had crossed the continent on an exploring expedition with a view to locating an overland route from the Mississippi to the Pacific. Commodore Stockton had appointed Frémont governor of California and the latter was not disposed to recognize Kearney's superior authority. In fact he had to be placed under arrest before Kearney could proceed to organize a provisional government in accordance with his instructions. Thus the vast region of California and New Mexico was won by a few hundred men with little effort or loss of life.

The occupation of California, 1846

General Scott's expedition of 12,000 men landed a few miles south of Vera Cruz, March 9, 1847, and three weeks later forced the town to surrender with its garrison of 5000 men and 400 guns. Although not fully prepared for an immediate advance, Scott had to hurry his troops away from the coast in order to avoid the yellow fever season, which was fast approaching. To reach the City of Mexico Scott's army had to march 280 miles along a road which zigzags over lofty mountain ranges and reaches at one of the passes an elevation of 10,000 feet. The City of Mexico itself is about 7000 feet above the sea level.



GENERAL WINFIELD SCOTT.

rest of the army. General Santa Anna collected a part of his scattered forces at Pueblo, but soon retired to the City of Mexico. On May 15 the American army occupied the city of Pueblo. Here Scott had to remain for three months, as the terms of about one third of his troops had expired and he had to wait for the arrival of new recruits. Meanwhile peace negotiations were undertaken without result by Nicholas P. Trist, chief clerk of the State Department, who had accompanied the army with the draft of a treaty in his pocket.

Early in August the army resumed its march against the City of Mexico, but Santa Anna had gathered together an



army of 20,000 men and the direct approach to the city was strongly guarded. Scott decided, therefore, to make a detour to the south and approach the city from that direction. After inflicting heavy losses on the Mexicans in hard-fought battles at Contreras and Churubuseo, Scott consented to a truce, hoping that the Mexicans would come to terms and avoid an assault on the city. As it was evident that the Mexicans were merely playing for time, operations were resumed on the 8th of September and on the 13th Chapultepec, a natural fortress of great strength mounted by batteries and strongly manned, was carried by assault. The Americans were now at the gates of the city, and on the following day it was surrendered, Santa Anna having withdrawn during the night.

Capture of
the City of
Mexico,
September
14, 1847

General Scott had become greatly provoked with Trist, who had been sent along with the expedition to negotiate terms of peace at the earliest practicable moment, and he complained to the president that peace negotiations were interfering with military operations. An order was finally sent for Trist's recall, but when it arrived he was satisfied that the Mexicans were at last willing to come to terms and he continued the negotiations, which resulted in the signing of the treaty of peace at the little town of Guadalupe Hidalgo, February 2, 1848. Trist was finally arrested and sent back to the United States, but his treaty was submitted by the president to the Senate and ratified.

The treaty
of Guada-
lupe
Hidalgo,
February 2,
1848

The Texas boundary was fixed at the Rio Grande, and New Mexico and California were ceded to the United States in return for a payment of \$15,000,000. The United States also agreed to assume the claims of its citizens against Mexico. The unparalleled success of the American arms had led to a demand for the annexation of the whole of Mexico, but Polk adhered strictly to his original purpose. Rarely has a vic-

torious nation displayed such moderation. Polk was not influenced by the foolish clamor against hauling down the flag which half a century later influenced McKinley in his decision concerning the Philippines. The war had been well fought. Grant, who took part in the operations against Mexico, said years afterwards that he regarded the strategy and tactics of Scott as faultless. Besides Grant, many others who became leaders in the Civil War received their training under Scott and Taylor, among them Robert E. Lee, Stonewall Jackson, Jefferson Davis, Joseph E. Johnston, George H. Thomas, George B. McClellan, H. W. Halleck, and George G. Meade.

With the annexation of Texas and California, the westward movement received a new stimulus. The discovery of gold in California early in 1848, about the time that the treaty was signed, caused a rush of settlers and adventurers from all parts of America and Europe to that region. In two years the population of California had grown to 100,000. In order to get there the gold-hunter and the settler had to take the long and difficult sea voyage around the Horn, or risk the terrors of yellow fever in crossing the isthmus, or encounter the hardships and dangers of a six months' journey across the continent.

The acquisition of California at once drew the attention of the government to the future importance of the inter-oceanic canal routes, and steps were immediately taken to secure permanent rights of way. In 1846 a treaty was signed with New Granada, the present Colombia, by which the United States acquired a right of way across the isthmus of Panama by any mode of communication then in existence or that might be subsequently developed. In 1850 the United States and England signed the much discussed Clayton-Bulwer treaty, by the terms of which England surrendered certain rights which

Negotiations
for an
isthmian
canal

she had acquired in Central America and the United States agreed that any canal that might be built through Nicaragua or at any other point connecting the two oceans should be under the joint control of the two powers.

The Middle West was now expanding and filling up with people at a rapid rate. Several causes combined to make the forties and the fifties an era of development and progress. In the first place railroads were rapidly taking the place of canals as means of transportation, thus spreading the population more evenly over the country and enabling it to leave the rivers and waterways. The first steam locomotive used in this country was invented by Peter Cooper in 1830 and made its first trip from Baltimore to Ellicott City, Maryland. This was the beginning of the Baltimore and Ohio Railroad. In 1843 a line was completed from Charleston, South Carolina, to Augusta, Georgia. In 1832 a little road was built from Albany to Schenectady, which was the beginning of the New York Central.

By 1840 it was possible to travel by rail from New York to Wilmington, North Carolina. Pittsburg was reached by the Pennsylvania Railroad in 1852, and Wheeling by the Baltimore and Ohio in 1853. In 1854 the Charleston and Savannah Railroad was completed to Chattanooga, and in 1858 it was continued to Memphis. During the fifties the Illinois Central and other western roads were built with the aid of land grants, and by 1860 the Middle West was well provided with railroads. During the thirties and forties the canal was the principal means of transportation, but during the fifties the railroad mileage was extended from about 5000 to over 25,000. With the railroad came also the telegraph, invented by Morse in 1844. Within ten or fifteen years all the principal cities were connected by telegraphic communication.

Improvements in agricultural implements kept pace with

improvements in the means of transportation. The iron plow, with detachable parts which could be renewed when

Development of western agriculture broken or worn out, came into general use ; threshing machines of various kinds supplanted the older methods of separating the grain from the straw and chaff ; and finally the reaper brought about the greatest change that had ever taken place in agricultural methods.

The first successful reaper was invented by Cyrus Hall McCormick, of Rockbridge County, Virginia, in 1831. Scores of reaping machines had been invented in this country and abroad, but none of them proved successful. Young McCormick, who had assisted his father in the construction of an unsuccessful reaper at the forge on his farm, finally invented the type of machine which is now used the world over. In 1834 he took out his first patent, but it was several years before the machine was perfected. In 1844 he made a trip through the West and was quick to grasp the immense possibilities of the reaper on the vast prairies of that region. He moved at once to Cincinnati and later to Chicago and began the manufacture of reapers on a large scale. The reaper, while useful everywhere, was an inestimable boon to the West, for it enabled the farmers to put in vast crops of grain on the prairies which it would have been impossible, where labor was scarce, to gather in by means of the old cradle. The reaper was one of the greatest factors in the rapid development of the West.

In the forties foreign immigration began to assume large proportions. In 1842 over 100,000 foreigners came to our

Foreign immigration shores and in 1854 the number exceeded 400,000.

This movement was due primarily to the famine in Ireland and the revolutions in Germany, but it was accelerated by the rapid extension of the American frontier. Some of the immigrants remained in the Eastern States, where they took the place of the native-born Americans who were moving to the West. This was especially true of the Irish. The

Germans, on the other hand, preferred going directly to the frontier and they played an important part in the development of some of the Western States. Between 1830 and 1850 six new States were admitted to the Union; Arkansas in 1836, Michigan in 1837, Florida and Texas in 1845, Iowa in 1846, and Wisconsin in 1848.

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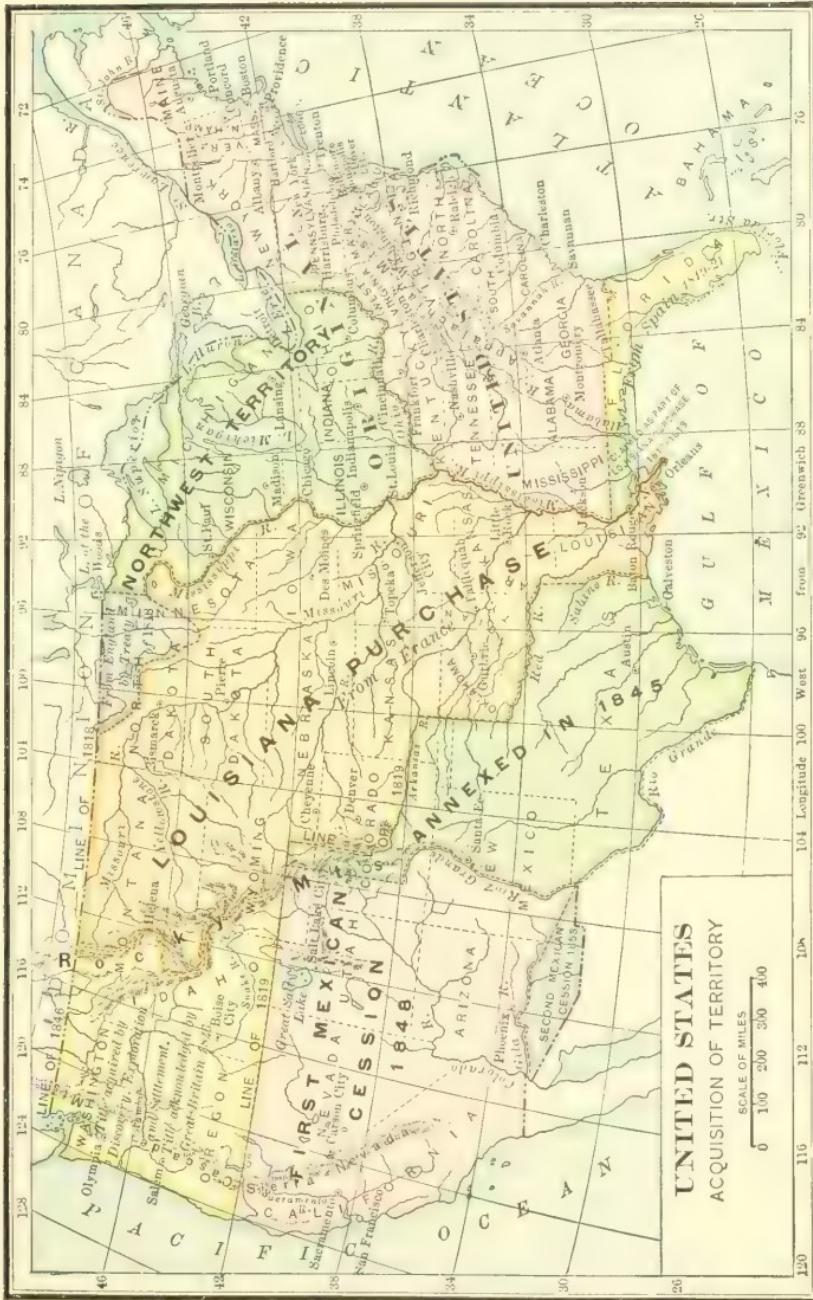
CHAPTER XVIII

SLAVERY IN THE TERRITORIES

FROM the Missouri Compromise to the beginning of the Mexican War there was an effort to exclude all direct discussion of slavery from the halls of Congress. An active antislavery propaganda was, however, carried on outside of Congress and was now assuming formidable proportions. The first opposition to slavery came from the Quakers of Pennsylvania in the eighteenth century. At the time of the Revolution, Jefferson, Mason, and most of the leading statesmen of Virginia regarded slavery as a moral and social evil and looked forward to a not far distant emancipation.

**Early op-
position to
slavery**

What to do with the emancipated slave, was the question which none could solve. An earnest attempt was made to colonize the free negroes in Africa by the American Colonization Society which was formed in 1816. The plan was officially endorsed by Virginia, Georgia, Maryland, Tennessee, and Vermont, and by the United States government, which extended its protection to Liberia, the territory on the west coast of Africa selected by the Society as the site for its colony. Several thousand negroes were sent over to Liberia, but large numbers of them succumbed to the African fevers and this deterred others from going, even had the Society been able to raise the necessary funds. The colonization scheme was a noble effort on the part of Southern statesmen and Northern philanthropists to solve the problem. Among the presidents of the Society were Monroe, Madison, Marshall, and Henry Clay, who was one of its most earnest promoters.



The movement against slavery was now world-wide. In 1832, after a long and memorable contest, the British Parliament abolished slavery in the British West Indies and appropriated \$100,000,000 to compensate the owners. Within the next twenty years most of the other European countries abolished slavery in their colonies. In 1831 William Lloyd Garrison founded in Boston the *Liberator*, a paper devoted to the immediate and unconditional abolition of slavery in the United States, and in 1833 the American Antislavery Society was organized with the same object in view. Since the Constitution protected slavery, Garrison denounced the Union as "a covenant with death" and the Constitution as "an agreement with hell."

The
abolition
movement

The program of the abolitionists was to arouse public opinion at the North and to distribute literature among the slaves of the South in order to create in them a longing for liberty. Later the "Underground Railroad" was organized for the purpose of enabling slaves to escape from their masters. Secret agents conducted them at night from point to point, supplying their wants and concealing them during the day at appointed stations, until they were safely across the border in Canada.

Garrison's crusade naturally created great indignation at the South, and when, a few months after the founding of the *Liberator*, a slave insurrection broke out in Virginia, it was generally believed that it had been instigated by the abolitionists. In August, 1831, Nat Turner, a negro preacher of Southampton County, with the assistance of a small band of slaves, suddenly began murdering the white people in his community, and before steps could be taken to arrest them sixty-one persons, mostly women and children, had been barbarously slain. This was the most serious slave insurrection that had ever been known in the South and it

The South-
ampton in-
surrection,
1831, and
the debate
on slavery in
the Virginia
legislature

led to a memorable discussion of the whole slavery question at the next session of the Virginia legislature. In January, 1832, Thomas Jefferson Randolph, a grandson of Jefferson, proposed to submit to the voters of the State a plan for freeing all slaves born after July 4, 1840, and for removing them beyond the limits of the United States. The question occupied the attention of the legislature for weeks and the debate attracted the attention of the entire country, but the committee to whom the plan was referred finally reported adversely by a majority of one vote.

In the northern tier of slave States thousands of slaves were freed by the voluntary action of their masters. In

The problem of the free negro Virginia alone more slaves were freed by voluntary emancipation between the Revolution and the Civil War than were freed in the entire North by statute. The presence of the free negro in slave communities presented a serious problem, and most of the Southern States found it necessary to place restrictions on emancipation, forbidding it altogether unless the freedmen were removed beyond the limits of the State.

John Randolph, who died in 1833, provided in his will for the emancipation of all his slaves and directed his executors to purchase lands for them north of the Ohio. His executors bought a large tract of land in the State of Ohio and took the negroes on the long journey, but at the border of the county in which the land lay they were met by men armed with rifles who ordered them back and they were not allowed to enter. Indiana and Illinois passed laws prohibiting free negroes and mulattoes from settling within their borders. If the free negro was considered a menace in the free States, it is not strange that he was so considered in the slave States.

The abolition crusade threw the South on the defensive and as the Southern members of Congress could not secure legislation excluding abolition literature from the mails, the

States enacted stricter laws regulating slavery, placing the slaves under closer surveillance and forbidding their masters to teach them to read. Garrison's movement met at first with violent opposition at the North. Upon one occasion he narrowly escaped death at the hands of a mob in the streets of Boston, while Elijah P. Lovejoy, the editor of an abolitionist paper in Illinois, was actually killed by a mob in the town where he published his paper.

Effects of
Garrison's
crusade
North and
South

The abolitionists flooded Congress with antislavery petitions until finally in 1836 the House passed a resolution directing that in future all such petitions be tabled without reading. John Quincy Adams considered this action a denial of the constitutional right of petition and he soon became the channel through which petitions were presented. Day after day he would rise in his seat and present petition after petition, but the Speaker never let him get beyond the words "abolition of slavery." As the number of petitions did not diminish and as the so-called "gag rule" merely gave the abolitionists a standing ground of complaint, it was repealed in 1844. The abolition crusade soon carried the slavery discussion into the churches, and between 1840 and 1850 several of the religious denominations became divided into Northern and Southern branches.

The growth of the abolition movement and the intolerance of the antislavery agitators aroused the sensitiveness of the Southern people and drove them first into an apologetic position and later into an open defense of slavery. William Gilmore Simms wrote in 1852: "Twenty years ago, few persons in the South undertook to justify Negro slavery, except on the score of necessity. Now, very few persons in the same region question their perfect right to the labor of their slaves, — and more, — their moral obligation to keep them still subject, as slaves, and to compel their labor, so long as they remain the inferior beings which we now find

Defense of
slavery

them, and which they seem to have been from the beginning. This is a great good, the fruit wholly of hostile pressure."

Slavery was justified by some on grounds of economic necessity, by others on grounds of the racial inferiority of the negro, and by others on the ground that it was recognized in both the Old and the New Testaments. The economic argument became especially popular during the forties. It was in brief that the prosperity of the South was dependent upon staple crops produced by negro labor and that negro labor was far more efficient under the slavery system than it would be under the wage system. This was doubtless true at that time. To the statesmen and philanthropists of the South, however, the inferiority of the negro was the main reason for keeping him in bondage. To their minds the negro problem loomed up larger than the slavery problem. The abolitionist believed that by freeing the slave the problem would be solved. The Southerner, on the other hand, believed that the free negro would present a far more serious problem socially and politically than the slave.

Any statesmanlike solution of the problem seemed now hopeless. National emancipation, even with compensation to the slave owners, would have produced an imposition industrial revolution, the outcome of which no one could foresee, besides leaving the race problem unsolved. Calhoun and other Southern leaders realized that if the North, already holding the majority in the House of Representatives, should also acquire control of the Senate, national emancipation would sooner or later be attempted. In an address to their constituents, signed by forty-eight senators and representatives, written by Calhoun, and issued in January, 1849, we find these prophetic words: "If [emancipation] should be effected, it will be through the agency of the Federal Government, controlled by the dominant power of the Northern States of the Confederacy, against the resistance and struggle of the Southern. It can then only

be effected by the prostration of the white race; and that would necessarily engender the bitterest feelings of hostility between them and the North. But the reverse would be the case between the blacks of the South and the people of the North. Owing their emancipation to them, they would regard them as friends, guardians, and patrons, and centre, accordingly, all their sympathy in them. The people of the North would not fail to reciprocate and to favor them, instead of the whites. Under the influence of such feelings, and impelled by fanaticism and love of power, they would not stop at emancipation. Another step would be taken — to raise them to a political and social equality with their former owners, by giving them the right of voting and holding public offices under the Federal Government. . . . But when once raised to an equality, they would become the fast political associates of the North, acting and voting with them on all questions, and by this political union between them, holding the white race at the South in complete subjection. The blacks, and the profligate whites that might unite with them, would become the principal recipients of federal offices and patronage, and would, in consequence, be raised above the whites of the South in the political and social scale." A more accurate picture of what actually took place during the period of Reconstruction it would be difficult to draw. Calhoun's only mistake was in supposing that the white people of the South could under any conditions be made to submit indefinitely to negro rule. In Calhoun's mind there were in 1850 two alternatives open to the Southern people, either to preserve the balance between the sections in the Senate or to form a separate confederacy.

Shortly after the beginning of the Mexican War, Representative Wilmot of Pennsylvania had moved as an amendment to an appropriation bill the proviso that **The Wilmot Proviso** neither slavery nor involuntary servitude should exist in any territory that might be acquired from

Mexico. Although this resolution passed the House, it was held up in the Senate and did not become law, but it injected the slavery issue into the debates of Congress once more, and the discussion continued without intermission and with ever-increasing bitterness until the secession of the Southern States. Calhoun dreaded the re-opening of the slavery question in Congress, and for that reason opposed the Mexican War and the acquisition of California and New Mexico. Toombs, Stephens, and other Southern Whigs took the same position, but the great majority of Southern Democrats favored the war and territorial expansion.

The question of slavery in California and New Mexico now overshadowed all others. A natural solution would have been the extension of the Missouri Compromise line to the Pacific, but to this the antislavery North was unalterably opposed. By Mexican law this region was free, and the advocates of the Proviso held that slavery could not be introduced except by act of Congress, which they proposed to prevent. Calhoun, Jefferson Davis, and other Southern leaders claimed, on the contrary, that the institution of slavery was a part of the public law of the United States, which had been extended over the region by the very act of conquest, and that therefore it must be recognized and protected.

A third view, advanced by Lewis Cass, of Michigan, and later taken up by Stephen A. Douglas, of Illinois, was that

**The doctrine
of "squatter
sover-
eignty"** Congress did not have the right either to legislate slavery into a territory or out of a territory, but that the question should be left for the settlers, or "squatters," as they were popularly called, to decide for themselves. This view was dubbed by its opponents, in derision, the doctrine of "squatter sovereignty," but it was called by Douglas "popular sovereignty." Although this view accorded in general with the

doctrine of States' rights, the Southerners were not willing to admit that the inhabitants of a territory had the right to exclude slavery or any other kind of property from the common territory of the United States.

With sectional issues thus pressing themselves on the attention of the country it was difficult for either of the two great political parties to preserve its alignment.

Both Whigs and Democrats omitted from their platforms all reference to the question of slavery in the territories, and tried to conduct the campaign along the old lines. The Democratic convention met in Baltimore in May, 1848, and as Polk did not seek a renomination, Lewis Cass, of Michigan, was chosen as the candidate for the presidency. This was the first instance of the nomination of a Northern man with Southern principles, a policy which the Democratic party followed until 1860 with the hope of holding its followers in the Northern States. The Whigs, on the other hand, who met in convention in Philadelphia in June, nominated General Zachary Taylor, of Louisiana, a large slaveholder, with the object of holding the Southern wing of their party. Millard Fillmore, of New York, was nominated for vice-president.

The Democratic party in New York had for some time been split into two factions, one headed by Marcy and the other by Van Buren. The Marcy faction, known as "Hunkers," had the support of the Tammany Society and of the practical politicians, while the "Barnburners," as the Van Buren faction was called, were so bent on reform that they were likened to the old Dutch farmer who burned his barn to get rid of the rats. The "Barnburners" repudiated the nomination of Cass and held a convention at Utica in June, at which they nominated Van Buren for the presidency on a platform which advocated the Wilmot Proviso. The Abolitionists had already nominated John P. Hale, of New Hampshire, but

The presidential campaign of 1848

Organization of the Free-Soil party

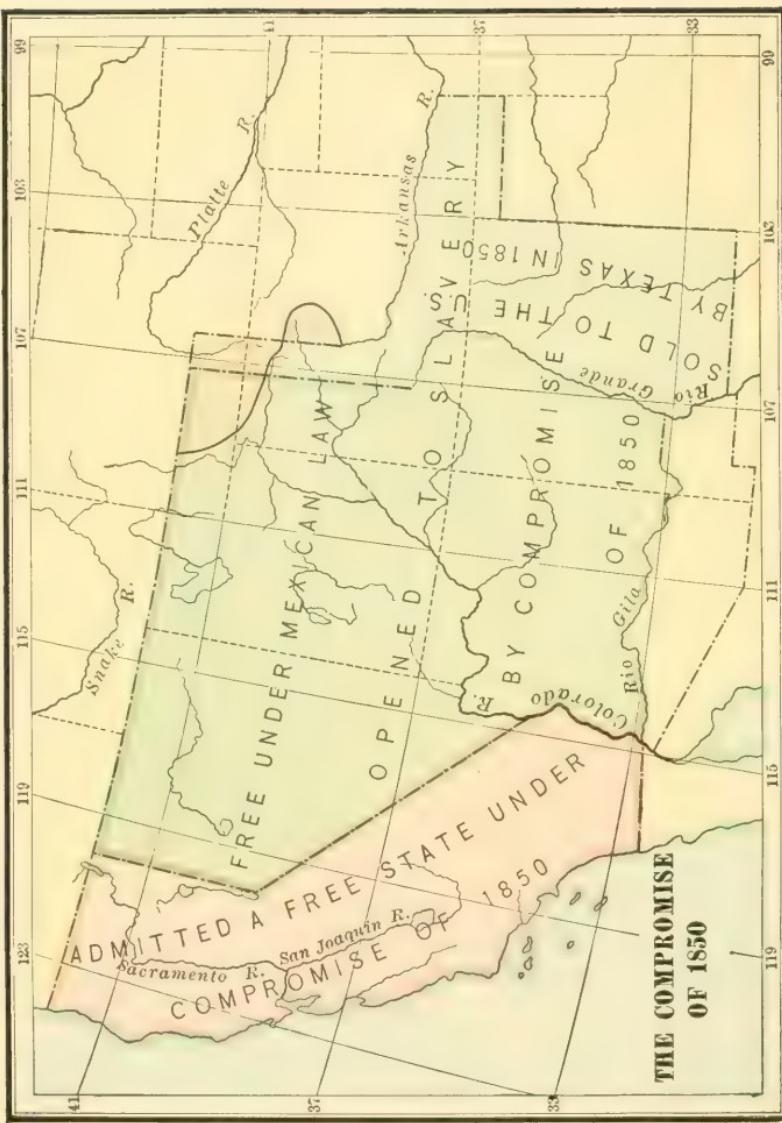
they now saw the opportunity to unite the antislavery Democrats and the antislavery Whigs who were disgusted at the attempt of both parties to ignore the slavery question.

A convention was therefore held at Buffalo in August and the Free-Soil party was organized, with Van Buren as its candidate, on a platform opposing the further extension of slavery, — “No more slave States and no more slave territory.” The new party inscribed on its banner, “Free Soil, Free Speech, Free Labor, and Free Men.” Taylor and Fillmore were elected, receiving 163 electoral votes to Cass’s 127. The Free-Soilers did not carry a State, but they polled nearly 300,000 popular votes, and in several States they held the balance between the older parties.

When the new Congress met in December, 1849, California had already called a constitutional convention without waiting for the usual enabling act of Congress and had adopted a State constitution, which excluded slavery. The president had given his approval to this proceeding and he now recommended that California be admitted as a State. The admission of California as a free State would upset the balance in the Senate, on which depended the equilibrium of the Union. There were at this time fifteen slave and fifteen free States. The Southern members of Congress refused to allow California to come into the Union until the question of slavery in the rest of the Mexican cession was determined.

The Com-
promise of
1850

On January 29, 1850, Clay introduced in the Senate a series of resolutions as the basis of a compromise. He proposed that California should be admitted under her free constitution; that territorial governments should be organized in the rest of the Mexican cession without any restriction as to slavery; that the boundary between Texas and New Mexico should be adjusted and that Texas should be paid \$10,000,000 for surrendering her claims to the disputed area; that the slave trade should be abolished in the



District of Columbia, although it was considered inexpedient to abolish slavery there as long as it continued in Maryland; and that Congress should enact a more stringent fugitive slave law, making it the duty of United States marshals and other federal officials to enforce its provisions.

The Compromise was debated for months and finally enacted in a series of separate measures. It was supported in the Senate by Clay, Webster, Cass, and Doug-
las. It was opposed by Seward, an antislavery Whig, by Chase and Hale, Free-Soilers, by Benton, an independent Democrat, and by Calhoun and Davis, pro-slavery Democrats. Clay, now seventy-four years of age, had returned to the Senate after an absence of seven years to play once more the part of the "Great Pacifier," and he advocated the measure with great earnestness before throngs that filled the galleries, the floor, and the lobbies of the chamber.

*The debate
on the com-
promise*

On March 4, 1850, Calhoun's last formal speech was read before the Senate by James M. Mason, of Virginia. Calhoun himself was too feeble to deliver it, although he was rolled into the chamber in a chair to hear it read. Before the end of the month he had passed away. In this last speech he declared that the equilibrium between the two sections had been destroyed, that the Union was in danger, and he appealed to the North, the stronger party, to save it. His terms were: "The North must give us equal rights in the acquired territory; she must return our fugitive slaves; she must cease the agitation of the slave question; and she must consent to an amendment to the Constitution, which will restore to the South the power she possessed of protecting herself before the equilibrium was destroyed by the action of this government. The admission of California will be the test question." He did not explain the nature of the amendment, but after his death there was found among his papers a plan for two presidents, one from the slave

*Calhoun's
last speech*

and one from the free states, each having a veto on the acts of Congress.

Three days after Calhoun's speech was read Webster spoke. He began by saying: "I wish to speak to-day, not as a Massachusetts man, nor as a Northern man, but as an American." After reviewing some of the historical aspects of the slavery question he continued, "Now as to California and New Mexico, I hold slavery to be excluded from those territories by a law even superior to that which admits and sanctions it in Texas. I mean the law of nature, of physical geography, the law of the formation of the earth. That law settles forever, with a strength beyond all terms of human enactment, that slavery cannot exist in California and New Mexico. . . . I would not take pains uselessly to reaffirm an ordinance of nature, nor to reënact the will of God. I would put in no Wilmot proviso for the mere purpose of a taunt or reproach." As regards fugitive slaves, he expressed the opinion that the complaints of the South were just and that the North had failed in her duty. Referring to the abolition societies, he said: "I think their operations for the last twenty years have produced nothing good or valuable."

This speech brought forth a storm of indignation at the North, particularly in New England. Webster's position was condemned and he himself severely censured by a gathering in Faneuil Hall. Referring to his support of the Compromise, Theodore Parker said: "I know no deed in American history to which I can compare this but the act of Benedict Arnold." Webster was compared to Lucifer, the fallen angel, and there was no reaction until his death two years later. When that event occurred the revulsion of feeling was sudden and complete. "Massachusetts smote and broke the heart of Webster, her idol, and then broke her own above his grave." There can be no doubt that Webster's speech was prompted by a sincere patriotism and it is equally true that

Webster's
Seventh-of-
March
speech

it was based on wise statesmanship, but to such an extent had sectional prejudice been aroused that the antislavery North was as much opposed to compromise as the pro-slavery South.

There were many other notable speeches on the Compromise. Seward undertook to refute Webster's argument, and in the course of his remarks declared that ^{Seward and} there was "a higher law than the Constitution," ^{Davis} a phrase destined to have a moral influence that Seward never dreamed of. Jefferson Davis, on whom the mantle of Calhoun was about to fall, also spoke and stated clearly what would satisfy the South, — "that is, an equal right to go into all territories, all property being alike protected," but he added, in default of this, "I will agree to the drawing of the line of 36° 30' through the territories acquired from Mexico."

The proposal to upset the balance between the sections in the Senate by the admission of California, without any prospect of the admission of another slave State, presented such a serious situation that for the first time at the South secession was now seriously considered, and at the suggestion of South Carolina Mississippi called a convention of Southern States to meet in Nashville in June, 1850. The Southern Whigs declined to support this movement, and when the convention met there was found to be such a wide divergence of views among its members that after adopting resolutions, one of which demanded the extension of the Missouri Compromise line to the Pacific, it adjourned to await the action of Congress.

^{The Nash-}
^{ville con-}
^{vention}

On July 4 President Taylor, who opposed the Compromise and favored the Wilmot Proviso, was taken suddenly ill and on the 9th he died. Fillmore, who succeeded to the presidency, favored the Compromise. He ^{The Com-}
^{promise}
^{adopted} completely reorganized his cabinet, making Webster secretary of state. During August and September

the various parts of the Compromise were put through Congress. In November the Nashville convention reassembled, but without a full representation. It passed resolutions rejecting the Compromise and calling on the Southern States to summon another convention to take measures to restore the rights of the South within the Union if possible, "and if not to provide for their safety and independence." The Compromise had by this time so gained in public favor and the country was so prosperous that no further action was taken.

Both the leading parties found it difficult to select candidates for the campaign of 1852. The Democratic convention met in Baltimore June 1, and for forty-eight ballots the votes were divided between Cass, Buchanan, and Douglas. Finally on the forty-ninth ballot Franklin Pierce, of New Hampshire, was nominated. He was the second "dark horse," a man of good ability and winning manners, who had served without distinction in both Houses of Congress and had attained the rank of brigadier-general in the Mexican War.

The Whig convention was also held in Baltimore two weeks later. Fillmore, Winfield Scott, and Webster were the leading candidates. Scott was finally nominated on the fifty-third ballot. Both Democrats and Whigs upheld the Compromise in their platforms and deprecated any further agitation of the slavery question. The Free-Soilers nominated John P. Hale. They denied in their platform that the Compromise was a finality, declared that slavery was a sin against God and a crime against man, and demanded the immediate repeal of the fugitive slave law.

The Democrats were sincere in their support of the Compromise, while a large body of Whigs led by Seward had opposed the endorsement of the fugitive slave law in their party platform. The result showed that the great majority of the American people favored the Compromise. Pierce received 254 electoral votes and Scott 42, while the Free-

Soilers polled only a little more than half the number of votes they had received four years before.

Calhoun had died in 1850. Clay and Webster both died during the campaign of 1852, Clay in June and Webster in October. All had aspired to the presidency, but none of the three had attained it. Even that high office could have added nothing to the permanence or luster of their fame. New leaders were now taking their places, leaders bred in the bitterness of sectional controversy, men with no less patriotism, perhaps, but with stronger prejudices and less patient forbearance. The most prominent of the new group were Seward, Sumner, Chase, Douglas, Davis, and Toombs.

The passing
of the old
leaders

The year 1852 is also memorable for the appearance of *Uncle Tom's Cabin*, a novel by Harriet Beecher Stowe dealing with slavery. Although neither a true representation of slavery nor a literary masterpiece, this book appealed to the sympathetic imagination on a subject which the politicians endeavored in vain to exclude from public discussion but which "would not down." It was read by millions, translated into various languages, and had a larger circulation than any other novel ever written. It made little impression on the older generation, but it was one of the most powerful agencies in keeping alive the agitation against slavery and it molded the opinions of the younger men who elected Lincoln president in 1860.

*Uncle
Tom's
Cabin*

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CHAPTER XIX

THE IRREPRESSIBLE CONFLICT

PIERCE was inaugurated under apparently propitious circumstances. The widespread satisfaction with the Compromise of 1850 and the falling off in the vote polled by the Free-Soilers seemed to indicate that the slavery question had been at least temporarily eliminated from national politics. The new administration hoped by the adoption of a bold foreign policy to keep the attention of the nation diverted from this issue. Under Fillmore Webster and also Everett, who succeeded him in the State Department, had tried to handle foreign questions in a way to arouse national pride and patriotism and their efforts had met with success.

An aggressive foreign policy

Soon after Pierce came into office a new treaty was negotiated with Mexico, by which we acquired an important tract of land south of the Gila River in Arizona known as the "Gadsden Purchase"; in 1854 a Canadian reciprocity treaty was signed with England; during the same year, Commodore Perry forced the ruler of Japan to sign the famous treaty which opened up that country to foreign commerce; and a number of other treaties relating to American commerce, to neutral rights, and to extradition were negotiated with various powers. William L. Marcy, who directed these negotiations, was one of our ablest and most successful secretaries of state. Pierce had in his cabinet two other men of great ability, Jefferson Davis as secretary of war, and Caleb Cushing, of Massachusetts, as attorney-general.

The at-
tempts to
acquire
Cuba

In the earlier days Jefferson, John Quincy Adams, and other farsighted statesmen had coveted Cuba and regarded its annexation to the United States as only a question of time. Down to the Mexican War our fear was that Cuba might be annexed by England or France and our policy was to guarantee the possession of the island to Spain. Clay declared as secretary of state in 1825 that we could not consent to the occupation of Cuba or Porto Rico "by any other European power than Spain under any contingency whatever," and Daniel Webster in 1843, while occupying the same post, assured Spain that in any attempt to wrest Cuba from her "she might securely rely upon the whole naval and military resources of this country to aid her in preserving or recovering it."

After the Mexican War American foreign policy assumed a much more aggressive character, and Cuba became an object of desire not only to the slaveholding population of the South, but to a large part of the nation, on account of its strategic importance, lying athwart the Gulf of Mexico and commanding also the now important interoceanic canal routes. Between the Mexican and Civil wars, therefore, repeated efforts were made to purchase the island from Spain. In 1848 Secretary Buchanan offered Spain \$100,000,000 for Cuba, but the offer was indignantly rejected.

The failure of the purchase scheme was followed by the filibustering expeditions of General Lopez in 1850 and 1851, in which many Americans participated. Lopez was finally captured and executed by the Spanish authorities and about fifty Americans were summarily shot without a trial. When news of these executions reached New Orleans a mob attacked and sacked the Spanish consulate. These incidents naturally caused strained relations between the two governments.

President Pierce announced in his inaugural address that the policy of his administration would "not be controlled by any timid forebodings of evil from expansion." This was taken to refer to Cuba; and the appointment as minister to Spain of Pierre Soulé of Louisiana, a Frenchman by birth and education, who had been exiled for political reasons, created an unfavorable impression in this country and abroad, for his views on the Cuban question were well known to be of a radical character. Shortly after Soulé's arrival at Madrid the two countries were brought to the verge of war by the seizure in Havana harbor of the *Black Warrior*, an American ship charged with a technical violation of the port regulations. The ship and cargo were subsequently restored, but the overzealous handling of the incident by Soulé rendered any further negotiations for the purchase of Cuba by him utterly useless.

The "Ostend Manifesto," 1854

Under these circumstances Marey directed Soulé to confer with Mason and Buchanan, our ministers at Paris and London. The three ministers met at Ostend, a watering place in Belgium, in October, 1854, and drew up a report to Marey which was subsequently made public and became known as the "Ostend Manifesto." They advised that the United States offer Spain a fair price for Cuba, suggesting \$100,000,000, and in case of her refusal to sell, that the United States should seize the island, if the welfare and safety of the Union demanded it. Marey politely but firmly repudiated the recommendations of the report, and Soulé promptly resigned. The manifesto had, however, the desired effect of helping to secure for James Buchanan the Democratic nomination for the presidency in 1856.

Meanwhile the fugitive slave law had created such intense opposition in the North that it was found practically impossible to enforce it. The "Underground Railroad" was very active in the fifties and thousands of slaves were being

enticed away from their masters over into the free States. When pursued and arrested they were with increasing frequency rescued from the hands of the officers of

**Failure of
the fugitive
slave law**

the law and concealed or sent on to Canada. In one case that arose in Boston, Federal troops had to be sent to the scene in order to enable an owner to reclaim a runaway slave. Most of the Northern States nullified the fugitive slave law by the enactment of "personal liberty" laws, which gave fugitive slaves the right to jury trials.



STEPHEN A. DOUGLAS.

refuse, wilfully and deliberately, to carry into effect that part of the Constitution which respects the restoration of fugitive slaves, and Congress provide no remedy, the South would no longer be bound to observe the compact." Every time a runaway slave was arrested and rescued by a mob hundreds of converts were made to the antislavery cause. Men were beginning to fear that after all the Compromise was not a finality, when the whole question was suddenly reopened in Congress by Stephen A. Douglas in a bill which he proposed for the organization of the territory of Nebraska.

The vast region extending from Missouri and Iowa to the Rockies, which went under the name of Nebraska, had never been organized and was still occupied by Indians.

The fugitive slave law was considered a vital part of the Compromise of 1850 and public men of both the North and the South had asserted that upon its faithful execution depended the life of the Union. In a speech at Capon Springs, Virginia, June 28, 1851, Daniel Webster said: "I have not hesitated to say, and I repeat, that if the Northern States

It was now proposed to remove the Indian tribes from a portion of this territory and open it up to settlers. The whole of Nebraska was north of the Missouri Compromise line and according to that agreement slavery was forever excluded, but Douglas now declared that a new principle had been adopted in the Compromise of 1850, that is, the principle of popular sovereignty. He therefore questioned the validity of the Missouri Compromise and provided in a bill which he introduced January 4, 1854, that the territory of Nebraska, or any portion of the same, when admitted as a State or States, "shall be received into the Union with or without slavery, as their constitutions may prescribe at the time of their admission." On January 16 Dixon, a Whig senator from Kentucky who was filling Clay's unexpired term, offered an amendment providing in express terms for the repeal of the Missouri Compromise. Douglas at first objected to the amendment, but after conferring with Dixon he finally decided to embody it in his bill.

So far Douglas had not consulted any of the Southern leaders, but on Sunday, January 22, he called on Jefferson Davis and got him to accompany him to the White House. The matter was discussed at length with President Pierce and he finally gave his approval to the bill. On the following day Douglas offered as a substitute for his first bill one which expressly repealed the Missouri Compromise and provided for the organization of two territories instead of one, Kansas and Nebraska. The evident purpose was to make one State slave and the other free.

In support of his measure Douglas said: "The legal effect of this bill is neither to legislate slavery into these territories nor out of them, but to leave the people ^{The debate} _{on the bill} to do as they please. If they wish slavery, they have a right to it. If they do not want it, they will not have it, and you should not force it upon them." While Sumner,

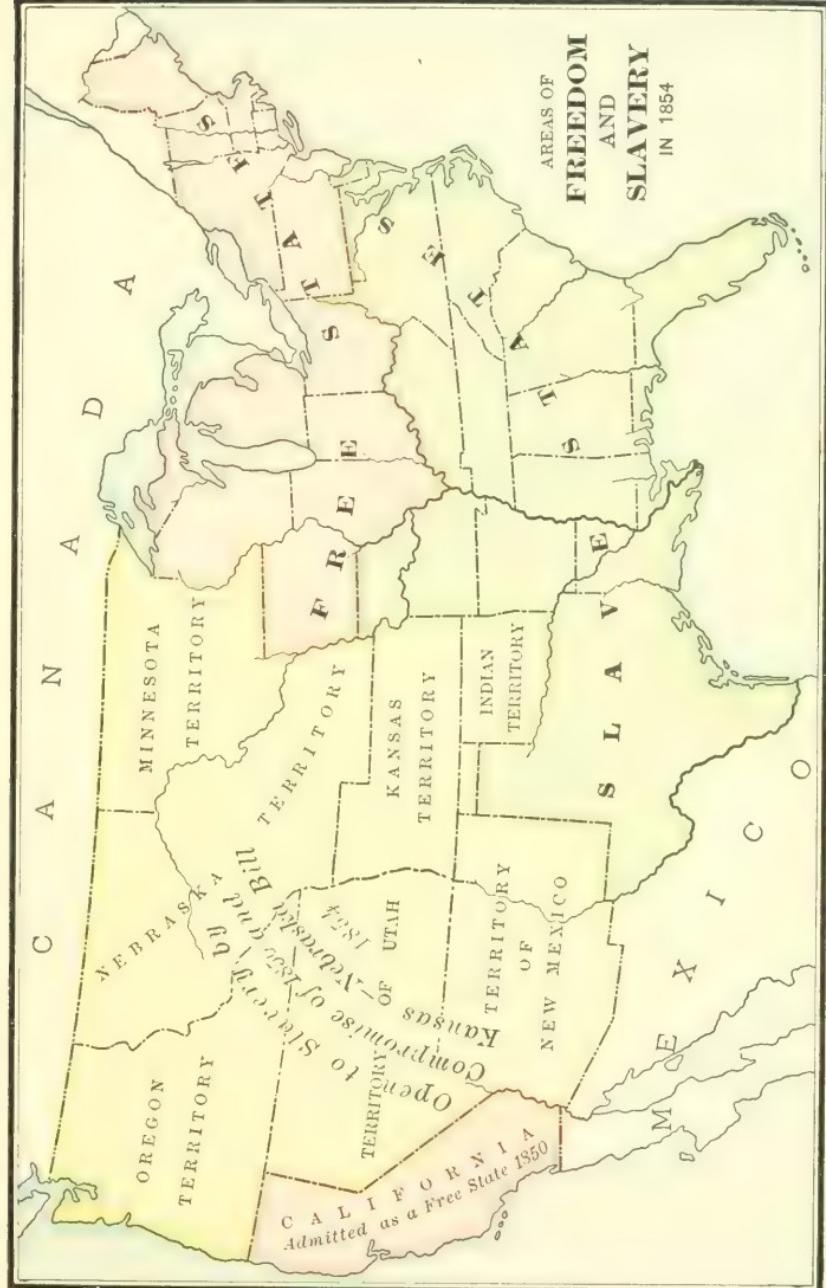
The Kansas-
Nebraska
Bill, 1854

Wade, and Seward made able speeches against the bill, Chase's speech established him at once as the leader of the antislavery forces. The bill passed the Senate March 4 by a vote of 37 to 14 and the House May 22 by a vote of 113 to 100.

The vote in the House showed the extent to which the measure threatened the disruption of both political parties. The Southern Democrats were solidly for the bill and the Northern Whigs solidly against it, but the Northern Democrats were divided, 44 for and 42 against, and the Southern Whigs were also divided, 12 for and 7 against. Many writers have expressed the opinion that but for the repeal of the Missouri Compromise the Civil War would not have taken place. While this is probably an extreme view, it is undoubtedly true that the Kansas-Nebraska Act introduced a new phase of the slavery conflict which led straight to the Civil War.

Douglas, a Northern Democrat, was responsible for the measure. It was his personal influence that carried it through Douglas's Congress. What was his motive and what end motives did he have in view? The most usual answer to this question has been that it was a direct bid to the Southern Democrats for the presidential nomination, which Douglas undoubtedly coveted. Recent writers have, however, advanced another explanation. The question of a transcontinental railroad was being much discussed at this time and there was great rivalry over the choice of a route. The Gadsden Purchase had opened the way for a road to California along the route later followed by the Southern Pacific, and Jefferson Davis as secretary of war sent a corps of engineers into the field and had this route surveyed. This route would of course be a great boon to Memphis and New Orleans. St. Louis and Chicago, on the other hand, wanted the road built west through the Nebraska territory, and the best way to secure the adoption of that route seemed to be to remove the Indians from that territory and open it up as speedily as possible to settlers. The Southern

AREAS OF
FREEDOM
AND
SLAVERY
IN 1854



leaders wished to delay as long as possible the admission of any more States north of the Missouri Compromise line. If, however, the way were opened for the admission of one slave State and one free State, not only would the Southern opposition be removed, but the rivalry between the sections would lead to a more rapid settlement of the region, which was the thing most desired.

For several years it had been difficult to hold the old party alignments. In 1852 many of the Southern Whigs, notably those of Georgia led by Toombs and Stephens, repudiated General Scott, the Whig candidate, and henceforth allied themselves with the Democratic party. In the North many of the antislavery Democrats had joined the Free-Soilers.

Reshaping
of political
parties

Between 1852 and 1854 a new political organization came into being under the name of the American or "Know-Nothing" party. This party was based primarily on opposition to foreigners, who were now coming to our shores in increasingly large numbers, and the object of the new party was to lengthen the period necessary for naturalization and to exclude foreigners and Roman Catholics from office. The organization was a secret one with lodges, countersigns, and symbols, and for a time it made rapid progress and gained control of several States. A great many Southern Whigs went into this movement rather than into the Democratic party. The American party tried to ignore the slavery question, but divided like other parties on the Kansas-Nebraska Bill and soon went to pieces.

By far the most important of the immediate effects of Douglas's measure was the formation of the Republican party. The fight against the bill in Congress had brought together antislavery Whigs, antislavery Democrats, antislavery "Know-Nothings," Free-Soilers and Abolitionists. On July 6, 1854, a convention of anti-Nebraska men was held at Jackson,

The forma-
tion of the
Republican
party

Michigan, a full State ticket was nominated, and the name Republican was adopted by the new party. On July 13, the anniversary of the Ordinance of 1787, anti-Nebraska State conventions were held in Wisconsin, Ohio, Indiana, and Vermont.

In the Congressional elections at the North the new Douglas policy was the paramount issue and it was overwhelmingly repudiated. The House which passed the Kansas-Nebraska Bill had a majority of 84 Democrats; in the House elected after its passage the Democrats were in a minority of 75. Of the 42 Northern Democrats who had voted for the bill only 7 were reelected. Douglas tried to show that the result was due to the gains of the "Know Nothings," but the new Congress was organized by the Republicans, who elected Nathaniel P. Banks, of Massachusetts, as speaker.

Meanwhile the principle of popular sovereignty was producing unexpected results in Kansas. It had been generally expected that Kansas would become a slave State, and Missouri farmers were soon moving across the border, a few of them carrying their slaves with them. A movement was started in Massachusetts, however, to prevent the Southern settlers from controlling Kansas. This was the Emigrant Aid Society, formed for the purpose of sending New England settlers into the territory. The antislavery settlers soon organized an "Underground Railroad" and slaves began escaping from Missouri through the free settlements in Kansas. The Missourians were greatly enraged and as a measure of self-defense determined to make Kansas a slave State. When the election for members of the territorial legislature was held March 30, 1855, large numbers of Missourians rode over the border, voted, and returned home.

The pro-slavery advocates carried the election and the legislature adopted a slave code modeled after that of Missouri. The Free-Soilers, however, refused to recognize

the election as valid, and without any authorization from the territorial authorities or from Congress, they held a constitutional convention at Topeka October 23, 1855, framed a constitution prohibiting slavery, and organized a government which applied to Congress for admission as a State. There were thus two governments in the territory and conditions were ripe for the border warfare which soon broke out. Meanwhile the Emigrant Aid Society was supplying its settlers with rifles sent out in boxes marked "books." "Beecher's Bibles" was the name popularly given them.

President Pierce upheld the authority of the territorial legislature and refused to recognize the legality of the Topeka movement. Douglas took the same view of the case and there took place in the Senate the angriest debate that had ever been known in that body. Sumner replied to Douglas in a speech to which he gave the title of "The Crime against Kansas." It was prepared with unusual care and sent to the printer before delivery. The special objects of his attack were Douglas and Senator Butler of South Carolina. The speech abounded in personal insults and veiled insinuations which the carefully chosen language rendered all the more exasperating. Sumner himself boasted, with characteristic egotism, that it was the "most thorough philippic ever uttered in a legislative body."

Brooks's
assault on
Sumner

Douglas was present and defended himself with his usual vigor, meeting the personal attacks with counter-attacks. But Senator Butler was not present to defend himself, being detained at his home in South Carolina by an illness from which he never recovered. His nephew, Preston Brooks, who was a representative from South Carolina, determined to avenge the insult, and entering the Senate chamber after adjournment two days later, he attacked Sumner, who was seated at his desk writing, and gave him a severe beating with a cane. A resolution to expel Brooks was introduced in the House, but it failed to receive the necessary two-thirds

vote. He promptly resigned his seat, however, only to be returned by the almost unanimous vote of his constituents. The incident aroused sectional hatred to an extent never before known in the history of the country.

The struggle in Kansas had meanwhile developed into a state of border warfare. In May, 1856, the United States "Bleeding Kansas" Marshal summoned a posse to assist him in making certain arrests in Lawrence, the principal Free-Soil settlement, where his deputy had been resisted. Seven hundred and fifty men accompanied him to Lawrence and destroyed the newspaper office, a stone hotel built to serve as a fort, and the house of the man who had been elected governor under the Topeka constitution.

Three days later John Brown perpetrated the Pottawatomie murders. Accompanied by four sons, a son-in-law, and two other men, he went at night to the homes of some of the pro-slavery settlers, and, calling the men outside, led them a short distance from their houses and murdered them (five in all) with short cutlasses. In a short time a state of civil war prevailed in Kansas.

Such was the state of the country at the opening of the presidential campaign in 1856. The Democratic party held **The election of 1856** its convention in Cincinnati in June and nominated James Buchanan as its candidate. Pierce and Douglas were his principal rivals for the nomination. The platform reaffirmed the principle of "non-interference by Congress with slavery in State and territory, or in the District of Columbia." Two weeks later the new Republican party held its convention in Philadelphia and nominated Colonel John C. Frémont, of California, on a platform which opposed the extension of slavery and declared it to be the duty of Congress to exclude slavery from the territories of the United States.

The Know-Nothing party named Ex-President Fillmore as their candidate and this nomination was endorsed by

what remained of the Whig organization. Buchanan received 174 electoral votes, Frémont 114, and Fillmore only the 8 votes of Maryland. Buchanan carried all the slave States except Maryland, and in addition Pennsylvania, New Jersey, Indiana, Illinois, and California. Frémont carried 11 States, among them Massachusetts, New York, and Ohio. The size of his popular vote was a great surprise. Buchanan received 1,838,169; Frémont 1,341,264; and Fillmore 874,534. Although Frémont was by no means a strong candidate, the new party in its first fight drove the Whig party from the field and took its place as one of the two great national parties.

The question as to the right of Congress to exclude slavery from the territories finally came before the Supreme Court of the United States in the famous Dred Scott case. Dred Scott was a negro slave owned by an army surgeon, who in 1834 took him to an army post in Illinois and later to another post west of the Mississippi in territory from which slavery was excluded by the terms of the Missouri Compromise. The negro made no effort to secure his freedom while residing in free territory, but some years after his master had taken him back to Missouri he sued for his freedom, first in the courts of Missouri and later in the United States courts, on the ground of his previous residence in free territory.

The Dred
Scott de-
cision, 1857

The case was first argued in the Supreme Court in February, 1856, and the members of the Court had decided in conference to dismiss the case on the ground that Dred Scott was not a citizen and had no right to bring suit in the United States courts, but Justice McLean, a candidate for the Republican nomination for the presidency, determined to make political capital out of the case by writing a dissenting opinion reviewing the history of African slavery in America from the Free-Soil point of view. The Southern members of the Court objected to this, and it was finally

decided to defer the decision until after the presidential election and to hear the case reargued at the December term. The case was reheard in December, 1856, but the decision was not delivered until two days after the inauguration of Buchanan the following March. Meanwhile much pressure was indirectly brought to bear on the Court to enter into the merits of the case instead of dismissing it on a technicality. It was thought that the question of slavery in the territories might thus be settled once for all by the highest tribunal in the land.

In the opinion delivered by Chief Justice Taney it was held that Dred Scott was not a citizen of the United States within the meaning of the Constitution and therefore could not sue in the Federal courts. Negroes were not included in the term "citizens" by the framers of the Constitution. But the opinion did not rest here. In the course of his argument the chief justice canvassed the question as to whether the Missouri Compromise, under which Dred Scott claimed the right to sue, was a valid enactment. He came to the conclusion that the act was not constitutional, that a slave was property and that Congress had no right to exclude this particular kind of property any more than any other kind of property from the common territory of the United States. This decision met with a storm of indignation at the North and it was many years before the Supreme Court recovered from the odium that was heaped upon it. During the Civil War Lincoln ignored the Court with impunity and during the years following the war Congress threatened it into silence on the vital issues of Reconstruction.

The Dred Scott decision settled nothing, much less the Kansas question. Robert J. Walker, the former secretary of the treasury, was appointed by Buchanan as governor of Kansas, and he ordered an election of delegates to a constitutional convention to be held in June, 1857. The antislavery people, who had

The Kansas question again

already drafted without authorization the Topeka constitution, declined to participate in the election. The convention met at Lecompton, and drafted a constitution recognizing slavery. The slavery question was to be submitted to the people; that is, they were to vote for the constitution with slavery, or for the constitution without slavery. There was no chance to vote against the constitution as a whole, and it contained a clause protecting property in slaves already in the territory. There were only about 200 of these. The constitution with slavery was ratified by the people at the polls by a majority of nearly 6000, but again the antislavery people refrained from voting. They, however, now controlled the legislature, which ordered the constitution as a whole to be resubmitted to the people. This time the pro-slavery people remained at home and the Lecompton constitution was rejected by 10,000 votes. It thus appeared that the antislavery people were in the majority, but the pro-slavery inhabitants had the advantage of legality on their side.

February 2, 1858, President Buchanan submitted a copy of the Lecompton constitution to Congress and recommended the admission of Kansas. Douglas had from the first advised the president against sanctioning the Lecompton constitution on the ground that it did not represent the wishes of a majority of the people of Kansas, and Governor Walker took the same view. They objected to the form in which it had first been submitted. When the bill to admit Kansas under the Lecompton constitution came up in the Senate, Douglas denounced the president's course in strong terms. The breach between him and the administration was complete and henceforth he was denounced by the extreme Southern wing of the Democratic party as a renegade and a traitor, while he regained his hold on the North. His position was apparently bold and sincere. He claimed that he was upholding his favorite doctrine of popular sovereignty, no matter which way it cut.

The bill passed the Senate by a vote of 33 to 25, Douglas voting against it with Hale, Seward, Sumner, Wade, and other antislavery leaders. The bill passed the House with an amendment requiring the resubmission of the Lecompton constitution to the people of Kansas, but the Senate refused to concur. The English bill, a compromise measure, was then passed by both Houses. It offered Kansas a large grant of government lands on condition that the people should ratify the Lecompton constitution. If they rejected it, then the territory was not to be admitted until it had a large enough population to entitle it to a representative in Congress. On August 2, 1858, the proposition was rejected by 11,300 out of a total vote of 13,088. Kansas was not admitted until 1861, when it came in as a free State.

During the summer of 1858 the people of Illinois had to decide whether they would elect a Democratic legislature which would send Douglas back to the Senate or a Republican legislature which would choose Abraham Lincoln, who had come forward as a candidate. Lincoln challenged Douglas to a series of joint debates. The seven debates which followed in different parts of the State attracted the attention of the entire country. The discussion centered on the respective merits of Douglas's doctrine of popular sovereignty in the territories and the Republican doctrine of congressional control. On the outcome of the contest depended in large measure not only Douglas's seat in the Senate, but his chances for the Democratic presidential nomination in 1860.

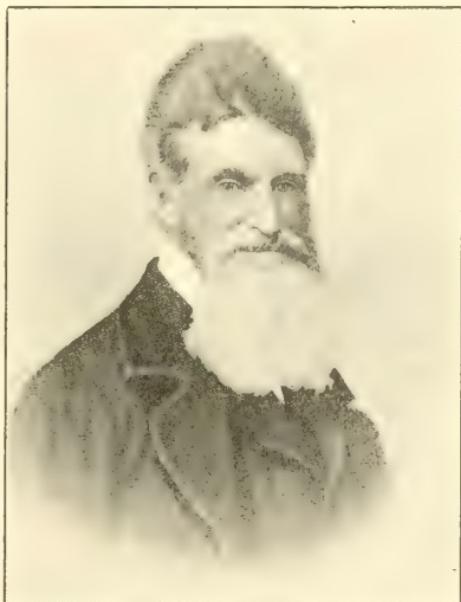
Lincoln tried to force Douglas either to repudiate his doctrine of popular sovereignty or to deny the full application of the Dred Scott decision, for the two were at variance. According to Douglas's doctrine a territory had the right either to adopt or to exclude slavery. According to the decision of the Supreme Court Congress had no power to exclude slavery from a territory. In the first debate at

Freeport Lincoln asked, how could a territory forbid slavery when Congress could not? Did a territory have more power than the Congress which created it? Douglas answered that legislation hostile to slavery by the people of a territory would make the territory free soil in spite of the Dred Scott decision. This view was in direct opposition to the Southern position that it was the duty of Congress to protect slave property in the territories.

Douglas won the senatorial fight by a majority of eight votes in the legislature, but Lincoln had forced him into a position which cost him the support of the Southern Democrats two years later. The debate brought Lincoln, who was a comparatively unknown man, into national prominence and led to his nomination for the presidency in 1860.

In October, 1859, the country was thrown into a state of feverish excitement by the announcement that John Brown, who had achieved evil notoriety in Kansas, had with the aid of eighteen conspirators seized the United States Arsenal at Harper's Ferry, Virginia, with the intention of arming the negro slaves and starting a servile insurrection. His intention was to carry the arms from the arsenal to the neighboring mountains and establish "camps of freedom" to which the slaves could resort.

United States troops and Virginia militia were at once



JOHN BROWN.

The John
Brown raid,
1859

rushed to the scene and after a stout resistance, in which ten of his followers were killed, Brown was captured. During the trial that followed he displayed extraordinary fortitude and would make no defense except that he had been commissioned by God to free the slaves of the South. His serene manner and strange words impressed those who heard him during the trial and won him thousands of friends at the North. He was condemned and hanged by authority of the State of Virginia. It was found in the investigation that funds and firearms had been furnished him by prominent men at the North, among them Gerrit Smith, Theodore Parker, T. W. Higginson, G. L. Stearns, F. B. Sanborn, and Dr. S. G. Howe. When these names became known, Gerrit Smith went mad, Howe, Stearns, and Sanborn fled to Canada; Theodore Parker had already gone to Europe; Higginson remained in Boston and was not disturbed. Some of these men knew Brown's plans in detail; others claimed that they thought the arms were intended for Kansas. Many men of note at the North indorsed Brown's deed, and he soon became a popular hero. The affair had a most unfortunate effect on public opinion at the South. It strengthened the hands of the radicals and solidified the forces that were making for secession.

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The division
in the
Democratic
party, 1860

CHAPTER XX

SECESSION

WHEN the campaign of 1860 opened Douglas was the leading candidate for the Democratic nomination, but the Lincoln-Douglas debates had made him an unacceptable candidate to the Southern wing of the party. The Democratic National Convention met in Charleston, South Carolina, April 23, 1860. Douglas had a majority of the delegates, but it was soon evident that he could not secure the necessary two thirds. As the California and Oregon delegations acted with the South, the anti-Douglas men had 17 out of 33 States, and hence, a majority of the committee on resolutions. They reported a platform embodying a series of resolutions which Jefferson Davis had introduced in the Senate in January, 1860. These resolutions repudiated the theory of popular sovereignty, upheld the decision of the Supreme Court in the Dred Scott case, called on Congress to protect slavery in every territory of the United States, and demanded the repeal of the personal liberty laws in the Northern States.

The minority report presented by the Douglas men reaffirmed the platform adopted by the party four years before at Cincinnati, which upheld the doctrine of popular sovereignty. After a long wrangle, the Douglas platform was adopted by a vote of 165 to 138. Yancey, the chairman of the Alabama delegation, then arose and announced the withdrawal of Alabama from the convention. Mississippi, Louisiana, South Carolina, Florida, Texas, and Arkansas followed.

On the following day the convention decided that two thirds of the whole electoral vote was necessary to nominate a ticket, and proceeded with the balloting. On the first ballot Douglas received 145 votes, Hunter 42, Guthrie 35, and 30 votes were scattered among six other candidates. In the next two days the convention cast 57 ballots. On several ballots Douglas received 162 votes, which was a majority but not two thirds. As there seemed no chance of reaching a nomination, the convention then adjourned to meet in Baltimore on July 18. The delegates who had seceded from the convention met in another hall in Charleston and formed a separate body, electing James A. Bayard of Delaware as chairman, and after adopting the platform which the regular convention had rejected, they adjourned to meet in Richmond.

Nomination
of Douglas
by the
Northern
wing, and of
Breckin-
ridge by the
Southern
wing

When the regular convention reassembled in Baltimore an effort was made to bring the two wings of the party together, but as soon as the convention was organized Virginia led another secession, followed by most of the delegates from Tennessee, North Carolina, Kentucky, and Maryland. This time the seceders carried with them the chairman of the convention, Caleb Cushing of Massachusetts. The regulars then proceeded to balloting and on the second ballot nominated Stephen A. Douglas as their candidate for the presidency. They then reaffirmed the platform adopted at Charleston and adjourned.

The Democrats who bolted at Baltimore proceeded at once to nominate John C. Breckinridge as their candidate, and this nomination was confirmed by the first group of bolters who had assembled in Richmond. Breckinridge's wing adopted the platform which had been rejected by the Charleston convention.

Meanwhile, the Republican Convention had assembled in Chicago on May 16. Seward had for some time been

considered the leading candidate for the Republican nomination, but some of the party leaders distrusted him and others for personal reasons were strongly antagonistic. When the convention met Seward and his friends were quite confident of his nomination, but Lincoln, whose name had not been seriously considered in the East, had the support of Indiana, Illinois and Iowa, and a few individual delegates, and he was the favorite candidate of the crowds that paraded the streets and filled the convention hall. Seward led on the first two ballots, but Lincoln was a close second, and his unexpected strength made such an impression on the convention that Seward's enemies soon combined on Lincoln and on the third ballot he was nominated.

The Republican platform repudiated the principle enunciated by the Supreme Court in the Dred Scott decision. It declared "that the new dogma, that the Constitution, of its own force, carries slavery into any or all of the territories of the United States, is a dangerous political heresy at variance with the explicit provisions of that instrument itself, with contemporaneous exposition, and with legislative and judicial precedent; is revolutionary in its tendency and subversive of the peace and harmony of the country. That the normal condition of all the territory of the United States is that of freedom."

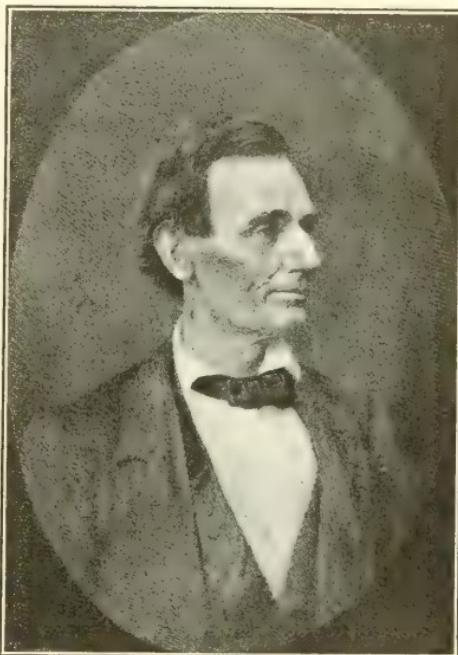
Another ticket was put before the voters by the Constitutional Union party, which was made up of what remained of the Whig and "Know-nothing" organizations. This party held its first and only convention in Baltimore and nominated John Bell of Tennessee for president, and Edward Everett of Massachusetts for vice-president. It adopted a short platform pledging itself "to recognize no political principles other than the Constitution of the country, the Union of the States, and the enforcement of the laws."

**Nomination
of Lincoln
by the
Republicans**

**Nomination
of Bell by
the Consti-
tutional
Union Party**

The Southern Democrats seemed to be forcing a "rule or ruin" policy, and most historians have taken the view that the radical leaders were already bent on secession. This is the usual explanation that has been given of the folly of putting two Democratic tickets in the field. The truth is, however, that nobody at that time expected that Lincoln could win with three candidates opposing him. It was confidently expected by the Southern delegates that no candidate would receive a majority of the electoral votes, and that the choice of a president would thus devolve upon the House of Representatives, in which event they had reason to hope that Breckinridge would be chosen president. As the campaign developed, however, and it became evident that Lincoln would carry more States than had been anticipated, Jefferson Davis, acting in behalf of the Southern wing of the Democratic party, called on Douglas and proposed that both he and Breckinridge should withdraw so as to allow the two Democratic factions to unite on a third candidate. Douglas declined to entertain the proposition, saying that as he had received a majority of the votes in the Charleston convention, he did not think it was incumbent upon him to withdraw from the race.

Unexpected results of the split in the Democratic Party



ABRAHAM LINCOLN.

Lincoln carried all of the Northern States, except New Jersey, where he received four of the seven electoral votes.
The election of Lincoln His total electoral vote was 180, Breckinridge's 72, Bell's 39, and Douglas's 12. The popular vote was as follows: Lincoln 1,866,000, Douglas 1,375,000, Breckinridge 847,000, Bell 587,000.

With the election of Lincoln the more radical Southern leaders at once began to make plans for withdrawing from the Union and forming a Southern Confederacy.
How the result was regarded at the South In his debates with Douglas in 1858, Lincoln had declared: "A house divided against itself cannot stand. I believe this Government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved. I do not expect the house to fall, but I do expect it will cease to be divided." Seward, who had been regarded as the foremost leader of the Republican party, and who was later selected by Lincoln for the position of secretary of state, had referred to the contest between the North and the South as an "irrepressible conflict," which must make the nation all slave or all free. Notwithstanding the public declaration of the party in its platform that it would not interfere with the domestic institutions of any State, many Southerners believed that the Republican party would in the near future inevitably undertake a general policy of emancipation. Furthermore, Lincoln had not received a single electoral vote south of Mason and Dixon's line, and he was the first president who had ever been elected to that office by a strictly sectional vote.

The South Carolina legislature was in session when the result of the election became known, and it immediately called a State convention, which was to decide whether the State should remain in the Union or not. The delegates to this convention were regularly elected on the issue of secession, and when it convened December 20, 1860, it unanimously

adopted an ordinance of secession, declaring that the union subsisting between South Carolina and the other States under the name of the United States of America was dissolved.

During the next six weeks conventions were held in all of the Gulf States, and ordinances of secession were adopted, in most cases by overwhelming majorities. Mississippi seceded January 9, 1861, Florida January 10, Alabama January 11, Georgia January 19, Louisiana January 26, and Texas February 1. In each case the legislature summoned a convention in the usual constitutional manner. There was no conspiracy on the part of the political leaders, as was charged at the time. The people knew what was proposed, and they voted overwhelmingly for immediate secession. A few prominent leaders stood out in strong opposition to the movement. The most conspicuous of these were Alexander H. Stephens of Georgia, Sam Houston of Texas, and James L. Petigru of South Carolina.

The doctrine of secession was based on the compact theory of government. As we have already seen, this theory was almost universally held at the time that the Constitution of the United States was adopted. The talk of secession, which had been indulged in with increasing frequency during the period of 1850–1860, was by no means new. It had been resorted to as a threat by almost every part of the Union in turn, but prior to the action of South Carolina in 1860, no attempt had been made to carry the threat into effect. Threats of secession had first been made in New England in opposition to the embargo, to the admission of Louisiana as a State, and to the War of 1812. When the Louisiana Bill was under discussion, Josiah Quincy of Massachusetts declared in the Senate : “If this bill passes, it is my deliberate opinion that it is virtually a dissolution of the Union ; that it will free the States from their moral obligation ; and, as it will be the right of all, so it will be the duty of some, definitely to prepare for

Secession
historically
considered

a separation, . . . amicably if they can, violently if they must."

During the second war with England there appeared an article in the Connecticut *Spectator* of August 3, 1814, which was copied with editorial approval in the Salem *Gazette*, in which we find this statement: "State sovereignty excludes the possibility of State rebellion; a sovereign State may infract its treaties, but can never rebel, nor can any citizen of such State when acting under and in pursuance of its authority, be guilty of treason against the United States." In 1843 John Quincy Adams declared in an address to the people of the free States that the annexation of Texas "would be a violation of our national compact" of such a character "as not only inevitably to result in a dissolution of the Union, but fully to justify it; and we not only assert that the people of the free States ought not to submit to it, but we say, with confidence, they would not submit to it."

Senator Henry Cabot Lodge in his *Life of Daniel Webster* makes the following statement: "When the Constitution was adopted by the votes of States at Philadelphia, and accepted by the votes of States in popular conventions, it is safe to say that there was not a man in the country from Washington and Hamilton on the one side, to George Clinton and George Mason on the other, who regarded the new system as anything but an experiment entered upon by the States and from which each and every State had the right peaceably to withdraw, a right which was very likely to be exercised." Charles Francis Adams in an address on "The Constitutional Ethics of Secession" asks the question, to whom was allegiance due in case of direct conflict between a State and the Federal government? And he says: "I do not think the answer admits of doubt. If put in 1788, or indeed at any time anterior to 1825, the immediate reply of nine men out of ten in the Northern States, and of ninety-

**Views of
Henry Cabot
Lodge and
Charles
Francis
Adams**

nine out of a hundred in the Southern States, would have been that, as between the Union and the State, ultimate allegiance was due to the State."

To the majority of people in the northern belt of Southern States, the action of South Carolina appeared precipitate, and little apprehension was felt of an attack by the Federal government on the institution of slavery as it existed in any of the States. The border State men generally endeavored to bring about a compromise between the radicals of the North and of the South. On December 18, 1860, Senator Crittenden of Kentucky proposed a constitutional amendment, forbidding slavery north of $36^{\circ}30'$ and recognizing it south of that line in all territories then held or thereafter to be acquired. This amendment was referred to a Senate committee of thirteen. The Republican members of this committee conferred with Lincoln and he expressed himself strongly opposed to any such compromise, on the ground that it would encourage the South to undertake the acquisition of more territory south of that line. When the committee finally reported, the vote stood six for the amendment and seven against it.

While Lincoln was inflexible on the territorial question, he was disposed to be as conciliatory as possible to the Southerners. On December 22, 1860, he wrote to Alexander H. Stephens: "I fully appreciate the present peril the country is in, and the weight of responsibility on me. Do the people of the South really entertain fears that a Republican administration would di-

Attitude of
the border
States



ALEXANDER H. STEPHENS.

Conciliatory
attitude of
Lincoln

rectly or indirectly interfere with their slaves, or with them about their slaves? If they do I wish to assure you . . . that there is no cause for such fears. The South would be in no more danger in this respect than it was in the days of Washington. I suppose, however, this does not meet the case. You think slavery is right and ought to be extended, while we think it is wrong and ought to be restricted. That, I suppose, is the rub. It certainly is the only substantial difference between us." This letter, which was made public, scarcely agrees with the "house-divided-against-itself" speech in the debate of 1858, and did little toward reassuring the South.

The four months that elapsed between the election of Lincoln and his inauguration were a trying period in the history of the country.⁷ President Buchanan had been intimately associated with the Southern leaders. He believed that the States had no right to secede, but he also believed that the Union had no right to coerce them. He refused, therefore, either to recognize a dissolution of the Union and arrange terms of separation with the seceding States, or, on the other hand, to take any measure to coerce them or to protect the property of the United States within their limits. The election of Lincoln had precipitated the crisis and he proposed to let Lincoln solve the problem which it had created.

The Virginia legislature invited all the States to meet in convention in Washington on February 4, 1861, for the purpose of arranging terms of conciliation. Twenty-one States responded to the call, and Ex-President Tyler presided over the convention when it met. A constitutional amendment, resembling in the main the Crittenden compromise, was proposed, but nothing came of it.

There were only two forts within the limits of the Southern States that had so far seceded that were garrisoned at the

time by United States troops. One was Fort Moultrie at Charleston, and the other was Fort Pickens in Georgia. On December 26, Major Anderson, who was in command at Fort Moultrie, moved his garrison over to Fort Sumter, which could be better defended.

The problem presented by Fort Sumter

All eyes were now turned on Fort Sumter. South Carolina at once collected troops and stationed batteries so as to bear on the fort in case any attempt should be made to reinforce it. On January 9, 1861, the *Star of the West*, a merchant vessel, which had been dispatched from New York with men and provisions for Fort Sumter, approached the entrance to the Charleston harbor and was fired on by the South Carolinians. The ship withdrew and returned to New York.

When Lincoln was inaugurated he was informed through the War Department that Major Anderson was running short of provisions, and Lincoln was much perplexed as to what policy he should pursue. Each side wished if possible to avoid the odium of firing the first shot. Lincoln's cabinet was divided on the subject. Some of them advised holding and strengthening the fort, while others advised the withdrawal of the garrison in order to avoid war. Anderson himself favored evacuating the fort, and General Scott held the same view. Meanwhile, there were in Washington three agents of the Confederate government, who were carrying on unofficial negotiations with Secretary Seward. Seward favored the withdrawal of the garrison from Fort Sumter, and he assured the commissioners that no effort would be made to send any reinforcements.

Meanwhile, the Navy Department was making preparations to send an expedition to the relief of the fort. When rumors of this expedition reached the commissioners they demanded an explanation of Seward. He replied through a confidential agent: "Faith as to Sumter fully kept. Wait and see." On the following day,

The relief expedition

April 8, the relief expedition sailed from New York. On the same day Lincoln officially announced to Governor Pickens of South Carolina that he intended to supply the fort with provisions. Southern writers have generally charged Lincoln with bad faith, but the evidence does not justify this charge. Seward's negotiations with the Confederate commissioners were in no way sanctioned by Lincoln. Seward himself was strongly opposed to sending the relief expedition, and up to the last moment he sincerely believed that his influence would be sufficient to prevent it.

On April 11 General Beauregard formally demanded the surrender of Fort Sumter. Anderson refused, saying, however, that he would soon be starved out. On April 12 at 4:30 A.M. the Confederate batteries opened fire on the fort, and on the 13th Anderson offered to surrender. The relief expedition had been waiting outside the harbor since the 12th, but owing to the absence of one of the ships which had been detained by the unwarranted interference of Seward, no assistance was rendered. The firing on Sumter proved a serious mistake, as it enabled President Lincoln to charge the South with having begun the war.

On April 15 Lincoln called upon the States for 75,000 militia to assist in putting down the secession movement.

Secession of Virginia, North Carolina, Tennessee, and Arkansas This demand was indignantly refused by the governors of the eight remaining slave States, with the exception of Maryland and Delaware. A convention had been summoned in Virginia to consider the question of secession, and when it met early in February it was found that a large majority of the delegates were Union men. The convention continued in session, however, and watched the course of events.

The northern tier of Southern States had been opposed to secession and had regarded the action of the Gulf States as precipitate, but now they had thrust upon them the







alternative of supplying troops for the purpose of subjugating their sister States or of seceding and joining with them in the Southern Confederacy. As their political affiliations, their commercial and industrial interests, and their views of constitutional interpretation, no less than the institution of slavery, bound them to the States farther south, there was little doubt as to what the outcome would be. On April 17 the State Convention of Virginia passed the ordinance of secession by a vote of 88 to 55, and provided that it should be submitted to the people for ratification. Governor Letcher immediately seized the United States arsenal at Harper's Ferry and the Navy Yard at Norfolk, and made a provisional agreement with the Confederate government. North Carolina, Tennessee, and Arkansas followed the example of Virginia.

The first bloodshed of the Civil War occurred in the streets of Baltimore on the 19th of April, the anniversary of the Battle of Lexington. One of the first regiments to respond to Lincoln's call was the Sixth Massachusetts, which had to pass through Baltimore in order to reach the national capital.

The first
bloodshed,
April 19,
1861

The great majority of Baltimoreans sympathized with the South or at any rate were strongly opposed to coercing the Southern States, and when the regiment undertook to pass through the city the streets were filled with excited throngs of people. The mayor of the city and the chief of police did everything in their power to preserve order, but the mob began throwing missiles at the soldiers, some of whom opened fire without the authorization of their officers. An irregular fight occurred in which several soldiers and a number of people, most of them innocent bystanders, were killed.

The governor of Maryland at once had the bridges on the Harrisburg and Philadelphia Railroads burned, and Washington was cut off from both railway and telegraphic communication with the North. The Seventh New York

regiment went by water from Philadelphia to Annapolis and reached Washington April 25, followed shortly by the Fifth Massachusetts. The crisis had now passed. Other regiments continued to pour into the capital. On May 3 the president issued a call for 42,000 volunteers for three years.

There was now a sharp contest for the control of Missouri and Kentucky and the western counties of Virginia. Union sympathizers, with the aid of the Federal government, prevented the secession of Missouri and Kentucky, and the active interference of the Federal government in Maryland prevented the secessionists from organizing in that State. The trans-Alleghany counties of Virginia had always been politically opposed to the counties in the eastern part of the State. Their trade relations were largely with the Ohio River Valley. General McClellan was promptly sent into this region with troops from Ohio. Confederate forces were defeated at Philippi and Rich Mountain, and General Garnett, the Confederate commander, was killed at Carrick's Ford in July, 1861.

Western Virginia thus fell at a blow under the control of the Federal government, and a movement was soon started to organize a separate State. As the Federal Constitution provides that a State cannot be divided without its consent, there was some perplexity at first as to how a new State could be constitutionally erected. A convention of delegates from the "loyal counties" of Virginia met and organized what they called "the restored government of Virginia." This government, which embraced the counties west of the Alleghanies and a few counties bordering on the Potomac, went through the form of giving the consent of Virginia to the organization of West Virginia.

The population of the United States, according to the census of 1860, was a little over 31,000,000; that of the States remaining in the Union was about 22,000,000.

while the Confederate States had a population of about 9,000,000, of which over 3,500,000 were slaves. The North, however, was at this time by no means enthusiastic about the war. In fact, President Lincoln's policy created strong opposition. The South, on the other hand, with the exception of eastern Tennessee, was almost a solid unit.

Relative strength of North and South

A great many historians have been perplexed to account for the fact of Southern solidarity. Not more than one man in five owned slaves. Why, they ask, should the non-slaveholding population have engaged in a war which was fought to maintain the supremacy of a slaveholding aristocracy? In answer it may be said, in the first place, that neither side at the outset admitted that slavery was the issue at stake. At the North both president and Congress denied that there was any intention of interfering with slavery in any State in which it existed. The preservation of the Union was the avowed object of the war and it was not until 1862 that it was turned into a crusade against slavery. The South, on the other hand, claimed to be fighting solely in defense of constitutional rights. In the second place, even had abolition been the avowed object of the North from the first, the non-slaveholding population of the South would have entered the struggle with just as much enthusiasm, for their racial instinct was strongly developed and they abhorred the abolition theory of racial equality. The poor white of the South would have been the last man to desire to bring about the freedom of the negro and his political or social equality with the white.

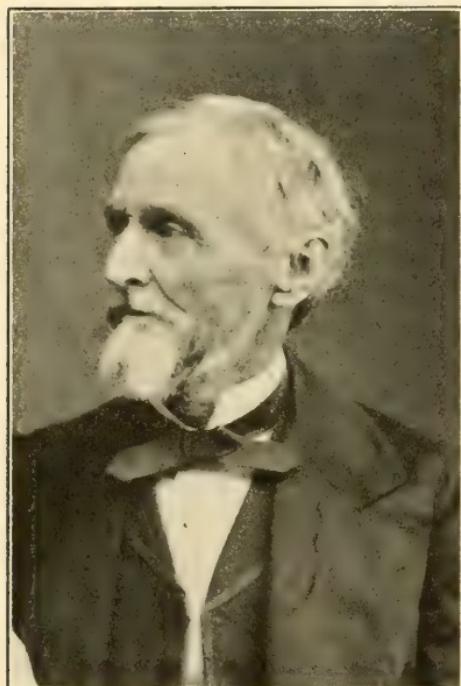
At the time that the war broke out, the United States had a very small military establishment and it was thoroughly disorganized by the withdrawal of officers who decided to stand by their States. Probably a third of the officers in the army were Southerners, and most of these resigned and

Withdrawal of Southern officers from the Union army

went South. Notable exceptions were General Scott and George H. Thomas, both Virginians, who decided to remain in the Union army.

At the beginning of the war President Davis's military experience both in the field and in the War Department, gave him a great advantage over President Lincoln. Davis was a graduate of West Point, had served with distinction in the

Mexican War, and as secretary of war under Pierce had displayed marked ability in re-organizing and improving the service. There was probably no man in the United States who was better posted on the condition of the army, or who was better acquainted with its personnel. This probably explains the fact that Davis selected at the outset generals of marked ability who maintained their positions throughout the war, while Lincoln, who had to depend upon the



JEFFERSON DAVIS.

advice of others, and who was influenced by political considerations, selected men who proved in most cases incompetent, and did not succeed in placing thoroughly competent officers in command of his armies until years of experience had evolved them.

Before the beginning of hostilities General Scott summoned to Washington Colonel Robert E. Lee, who had

been stationed in Texas. The old general had a warm affection for Lee, and declared that he had displayed more conspicuous ability in the Mexican War than any other officer in the army. Lee was a Virginian of ^{The decision of Lee} Virginians. Connected by marriage with the family of Washington, son of the famous "Light-Horse Harry" Lee of the Revolution, and holding through his wife a magnificent estate just across the Potomac from the national capital, it was indeed difficult for him to decide what course to pursue. In January, 1861, he wrote to his son from Texas as follows: "Secession is nothing but revolution. . . . Still, a Union that can only be maintained by swords and bayonets, and in which strife and civil war are to take the place of brotherly love and kindness, has no charm for me. I shall mourn for my country and for the welfare and progress of mankind. If the Union is dissolved and the government disrupted, I shall return to my native State and share the miseries of my people, and save in defence will draw my sword on none." About the time that Virginia adopted the ordinance of secession, Lee was offered the command of the Union armies. To this offer, which was made by President Lincoln through Francis Preston Blair, he replied: "If I owned the four millions of slaves, I would cheerfully sacrifice them to the preservation of the Union, but to lift my hand against my own State and people is impossible."

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PART V

THE CIVIL WAR

CHAPTER XXI

THE OPENING CAMPAIGNS, EAST AND WEST

FROM the Potomac to northern Georgia and Alabama the territory of the Confederacy was divided into two distinct theaters of military operations by the Appalachian chain of mountains, a hundred or more miles in width. South of the Potomac this range was crossed by only one railroad, which ran through Lynchburg, Bristol, and east Tennessee to Chattanooga. From this point roads connected with Atlanta to the southeast, Memphis to the west, and Nashville to the northwest. Early in the war the Federal government undertook three forward movements, while the Confederates acted on the defensive. The main campaign was directed against Richmond, and the Army of the Potomac which undertook this task was also charged with the duty of defending Washington. In the West an attempt was made by the combined operations of army and navy to occupy the line of the Mississippi River, and thus to cut off from the Confederacy Texas, Louisiana, and Arkansas. Another large army undertook to occupy Kentucky and Tennessee, and then to penetrate through the heart of the Confederacy to Atlanta. The two movements in the West were, of course, closely connected.

Two distinct
theaters of
military
operations

The Civil War began with a desperate struggle for Missouri, Kentucky, and West Virginia, but attention was soon drawn to operations in northern Virginia.

Operations in northern Virginia President Davis entered Richmond, the new capital of the Confederacy, on May 29, 1861.

At this time General Joseph E. Johnston was at Harper's Ferry with an army of 9000 men, and General Beauregard was at Manassas Junction with about 21,000. There was also a small force at Aquia Creek to defend the Richmond

and Fredericksburg Railroad.

General Winfield Scott, who was still in command of the United States army, was disinclined to adopt an offensive policy with raw troops enlisted for three months, but there was an insistent demand at the North for a forward movement, and "On to Richmond!" was the popular cry. Scott's first plan was to take Harper's Ferry while McDowell held Beauregard at Manassas. Accordingly Patterson advanced from Chambers-

burg, Pennsylvania, with a large force against Harper's Ferry, and Johnston fell back to Winchester on June 15, Harper's Ferry being untenable on account of the over-towering Maryland heights.

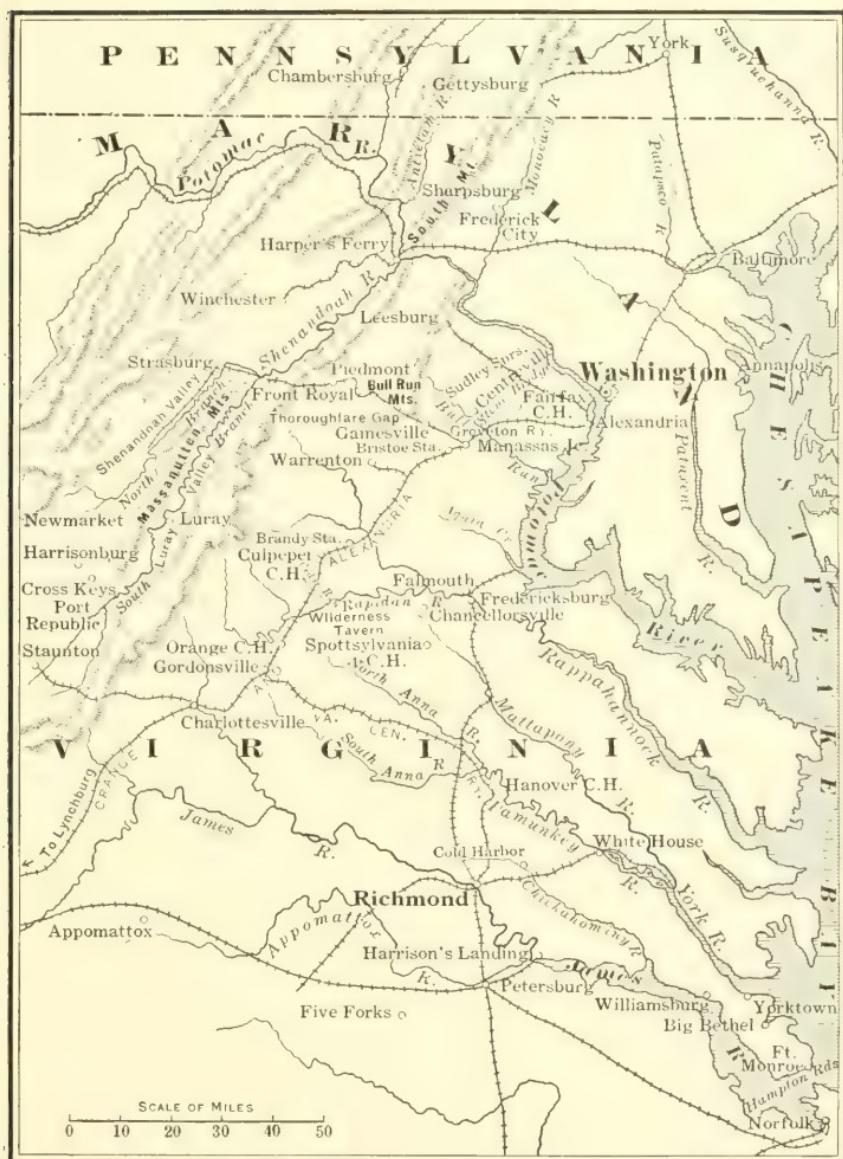
McDowell, who was in command of the Army of the Potomac, now planned an attack on Beauregard, provided

McDowell advances against Beauregard Johnston could be held in the Valley. Patterson, who had over 20,000 men with him, was ordered to detain Johnston, or in case he should under-

take to leave the Valley, to follow close on his heels. Meanwhile, Beauregard had taken up a strong position behind Bull Run, with his left facing the Stone Bridge



GENERAL BEAUREGARD.



THE WAR IN THE EAST.

on the Warrenton turnpike. McDowell advanced against the Confederate army with about 30,000 men. Patterson, however, failed to carry out his part of the program. Johnston gave him the slip and sent Jackson's brigade over the Blue Ridge at Ashby's Gap and on to Piedmont Station, where it took the train and reached Manassas at four P.M., July 19. The other brigades were delayed by a wreck, but by the morning of the 21st three of Johnston's four brigades were with Beauregard's army.

In the battle which took place on the 21st McDowell threw his right across Bull Run, forced the Confederates back from the Stone Bridge so that his center could cross, and thus with two thirds of his army began to roll up the Confederate line from left to right. By noon this preliminary movement had been successfully completed. Then began the second stage of the battle, which was waged for the possession of the Henry House hill. Here General T. J. Jackson managed to hold his position in the face of greatly superior forces until Beauregard and Johnston were able to bring up reënforcements. It was at this time that General Bee, endeavoring to rally the broken line of his Carolinians, exclaimed: "Look at Jackson! There he stands like a stone wall," thus giving him the name by which he was to be known to history. More than once the Federals gained the plateau, but Jackson finally charged them with the bayonet and turned the tide. With the arrival of General Kirby Smith's brigade, which was the last of Johnston's brigades to leave the Valley, the Confederates swept the Federals from the field and the retreat soon degenerated into a panic.

McDowell had ordered his army to fall back to Centerville, but it was utterly impossible to stop the rout there, and the troops throwing away arms and ammunition, and abandoning their artillery and wagon trains, rushed on in wild confusion to seek refuge

**First
Manassas,
or Bull Run**

**Rout of the
Federal
army**

in the defenses of Washington. Bull Run was a terrible shock to the North. Congress realized now that the South could not be conquered by raw recruits in a summer's campaign. On the day following the battle an act was passed providing for the enlistment of 500,000 men for three years. In view of the state of demoralization that prevailed in the capital, the Confederate generals have been criticized for

not attempting to take Washington, but the Confederate army, made up mostly of new recruits who had never been in action before, was thoroughly exhausted from the long day's fight, and could not possibly have continued the pursuit without rest and recuperation.

As a result of the defeat at Manassas, McDowell was relieved of the command of the Army of the Potomac McClellan in command and George B. McClellan was called from West Virginia to succeed him. McClellan was at this time in his thirty-fifth year. He had graduated in the class

of 1846 at West Point, had seen service in the Mexican War, and had been sent abroad to observe operations in the Crimean War. In 1857 he had resigned from the army to take up railroad work. When the war broke out he was assigned the task of driving the Confederates out of the counties which afterwards formed the State of West Virginia.

When McClellan assumed command of the Army of the Potomac he found it in a deplorable condition. He set to work at once to organize the new army authorized by Congress and to restore confidence. He was opposed to any for-



GENERAL McCLELLAN.

ward movement until he could organize and discipline the mass of recruits that came pouring into Washington. Meanwhile, Johnston and Beauregard wanted to invade Maryland, which was certainly sound policy from a military point of view, but for political reasons President Davis was opposed to any offensive movement, and insisted on acting on the defensive.

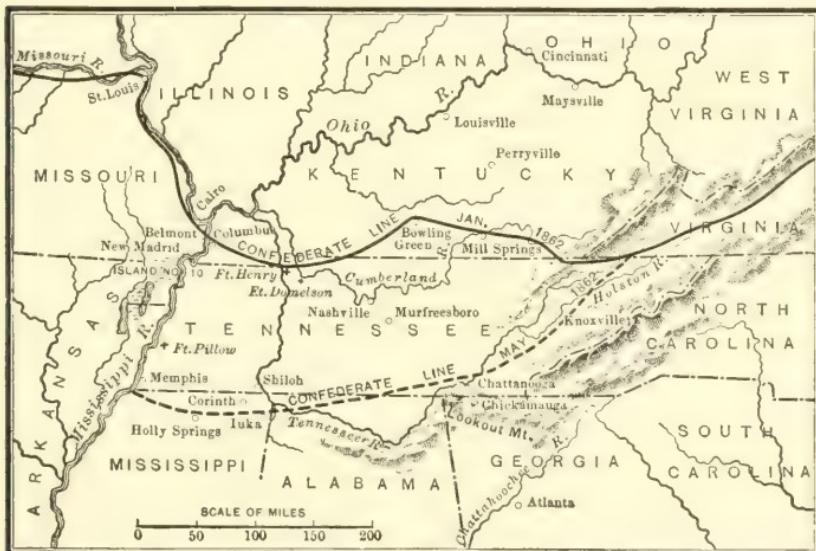
On November 1, 1861, General Scott resigned his command on account of the infirmities of age, and McClellan was placed in command of all the armies of the United States. He continued to take his time in organizing the Army of the Potomac, and paid no heed to the popular demand that he attack Johnston at Manassas. The president and cabinet were bent on operations before winter, but in December McClellan was taken ill with typhoid fever, and it was the middle of January before he could take up his official duties again.

The Federal cause met with its first striking success in the West. Before the close of 1861 the Union forces had occupied the greater part of Missouri, but the southern portion of the state was still held by the Confederates. In Kentucky the campaign of 1862 opened with the Confederates under Albert Sidney Johnston holding a line from Columbus on the Mississippi to Bowling Green. Facing them were the Federal forces under General Halleck commanding the Department of Missouri with headquarters at St. Louis, and the Army of the Ohio under General Buell concentrated between Louisville and Bowling Green. Grant had a smaller force at Cairo, which was under the general command of Halleck and known as the Army of the Tennessee.

In northern Tennessee, near the Kentucky border, the Confederates had constructed Fort Henry on the east bank of the Tennessee River and Fort Donelson twelve miles away on the west bank of the Cumberland. On February 3, 1862, Grant started up the Tennessee against Fort Henry

Federal
successes in
the West

with 15,000 men and a fleet of seventeen gunboats under Commodore Foote. Four of these were partially protected with armor and had been constructed for the government by J. B. Eads of St. Louis.



OPERATIONS IN THE WEST, 1862.

Fort Henry was commanded by high bluffs across the river and there was little hope of holding it, so General Tilghman decided to send his infantry to Fort **Fall of Fort Henry** Donelson, while he remained in the fort with one company of artillery in order to gain time for the infantry to make their escape. After an hour and a half of bombardment, Tilghman surrendered Fort Henry on February 6. This was the first important success won by the Federals in either theater of the war.

On the following day Johnston ordered the troops to fall back from Bowling Green to Nashville, and at the same time sent 12,000 men to reënforce the garrison **Fall of Fort Donelson** at Donelson. This was a bad move. He should have fought Grant with his whole force at Donelson. This

would have been the surest way to protect Nashville. Grant sent his gunboats down the Tennessee and up the Cumberland, while his army marched against Fort Donelson on the 12th of February. On the 14th the gunboats began the attack, but were forced to retire. The guns at Fort Donelson were placed high above the water, practically unsailable by gunboats, and they commanded a clear stretch of the river. Grant and Foote now determined to reduce the fort by regular siege operations. The Confederate garrison numbered 18,000, about the same as Grant's force, but Generals Floyd, Pillow, and Buckner thought they were greatly outnumbered and decided to cut their way out to Nashville. Grant succeeded in stopping this movement and forcing them back into the fort with heavy losses on both sides.

It was now too late for the entire Confederate force to withdraw and Fort Donelson had been rendered untenable. Floyd and Pillow left by steamer with some of their infantry, and Forrest rode out with his cavalry, but Buckner remained in command and on February 16, 1862, surrendered with about 12,000 men. The fall of Fort Donelson made a profound impression. The North was exalted and the South correspondingly depressed. Kentucky was now secured to the Federal cause and the way was opened for the invasion of Tennessee.

The double success laid the basis of Grant's military reputation, though at the time his superior, Halleck, from *Invasion of Tennessee* his headquarters at St. Louis, claimed the chief credit. In fact for a time Grant was actually superseded in the command of the Army of the Tennessee, but the misunderstanding which had arisen between him and Halleck was soon cleared up, and on March 17 he resumed command of his army at Savannah in western Tennessee. Buell occupied Nashville late in February and Johnston retreated to Murfreesboro, but the roads were so bad that Buell did not follow him.

Johnston, however, soon withdrew into northern Alabama in order to establish connections with Beauregard, who was collecting the scattered garrisons from the upper Mississippi forts at Memphis and holding the railroad line from Memphis to Corinth. On March 10 the Confederates evacuated Columbus on the Mississippi and retired down the river to New Madrid and Island No. 10. Pope was sent by Halleck to attack this new position. On March 11 President Lincoln created the new department of the Mississippi and

placed Halleck in command of all the forces in the West. The new department was a good thing, but Halleck proved an unfortunate choice for commander.

As Johnston and Beauregard were concentrating at Corinth, Halleck ordered Buell, who was still at Nashville, to unite his forces with those of Grant at Savannah on the Tennessee River north of Pittsburg Landing. Halleck did not expect the Confederates to take the offensive and

Battle of
Shiloh, or
Pittsburg
Landing



GENERAL ALBERT SIDNEY
JOHNSTON.

was in no hurry to arrive at the front and assume command. March 29 Johnston assumed command at Corinth of the united Confederate forces, now numbering 40,000 men, and determined to attack Grant before Buell could join him.

Buell's division began arriving at Savannah about noon, April 5. Grant was very careless about the disposition of his forces, and made no effort to get Buell's division across the river. Sherman occupied the advanced position of Grant's army, with headquarters about two miles from Pittsburg Landing on the Corinth road near Shiloh Church. On Sunday morning, April 6, at 6 A.M., the Confederates

fell on Sherman's division at Shiloh and drove them back from one position to another until they finally stood their ground on Snake Creek.

Grant, who had spent the night at Savannah and hastened over in the morning when he heard the firing, had a hard time holding his position, which became known as the "Hornet's Nest." Early in the afternoon Johnston, who was leading Bragg's division against Grant, was killed. This caused delay and Bragg's division was drawn off late in the day by order of Beauregard. During the night Grant got about 25,000 fresh troops over the river. The Confederates renewed the attack at 5 A.M. the next morning, but were repulsed. The losses on both sides were heavy; the Federal loss being considerably over 10,000, and the Confederate only a few hundred less. Shiloh was the first large battle in the West, and the bloodiest which had at that time been fought in America. The death of the brilliant Albert Sidney Johnston was a great loss to the Confederacy.

Halleck arrived April 11. He was in no hurry to advance, but awaited the arrival of Pope's army. On April 8

Federal forces seize Memphis and Corinth Pope had captured 7000 Confederates at Island No. 10 and New Madrid. By May 1 Beauregard had been reënforced to 50,000 men, but he did not care to risk another battle, for Halleck's forces now numbered 100,000. The latter advanced very cautiously, intrenching each position. On May 29 Beauregard evacuated Corinth and fell back to Tupelo, fifty miles south on the Mobile and Ohio Railway. On June 6 the Confederate fleet of gunboats was destroyed at Memphis and the Federals took possession. With the occupation of Memphis and Corinth, the spring campaign in the West came to an end. The Memphis and Charleston Railway was held by the Federals; the Mississippi had been opened from the Ohio to Vicksburg, and Kentucky and Tennessee were in the hands of the Union forces.

Meanwhile, Commodore David Glasgow Farragut was opening the Mississippi from the mouth. New Orleans was considerably the largest city in the Confederacy and a great commercial center. About ninety miles below the city were Forts St. Philip and Jackson, and there was a Confederate naval force in the river under Commodore Mitchell. On April 18, 1862, the Federal mortar flotilla under David D. Porter opened fire on the forts. Over 16,000 shells were fired at them in six days, but they did not surrender. On April 20 the boom across the river was broken by Lieutenant Caldwell on the *Itasca* and on the 24th Farragut ran past the batteries with his fleet and attacked the Confederate naval flotilla above. Farragut's force was greatly superior and he had an easy victory.

The capture
of New
Orleans

On the 25th at noon the fleet, having silenced the batteries near the city, appeared before New Orleans. Among the population of 160,000 the wildest confusion prevailed. On May 1 General Benjamin F. Butler disembarked with his troops and took command of the city. His harsh rule aroused the intense hatred of the entire South, and his name became a byword for arbitrary conduct and official corruption.

Farragut proceeded up the river; Baton Rouge and Natchez surrendered at the first summons, and no resistance was encountered until Vicksburg was reached. Vicksburg, midway between New Orleans and Memphis, about four hundred miles from each, is situated on a high bluff commanding the river, and is an exceptionally strong position. The

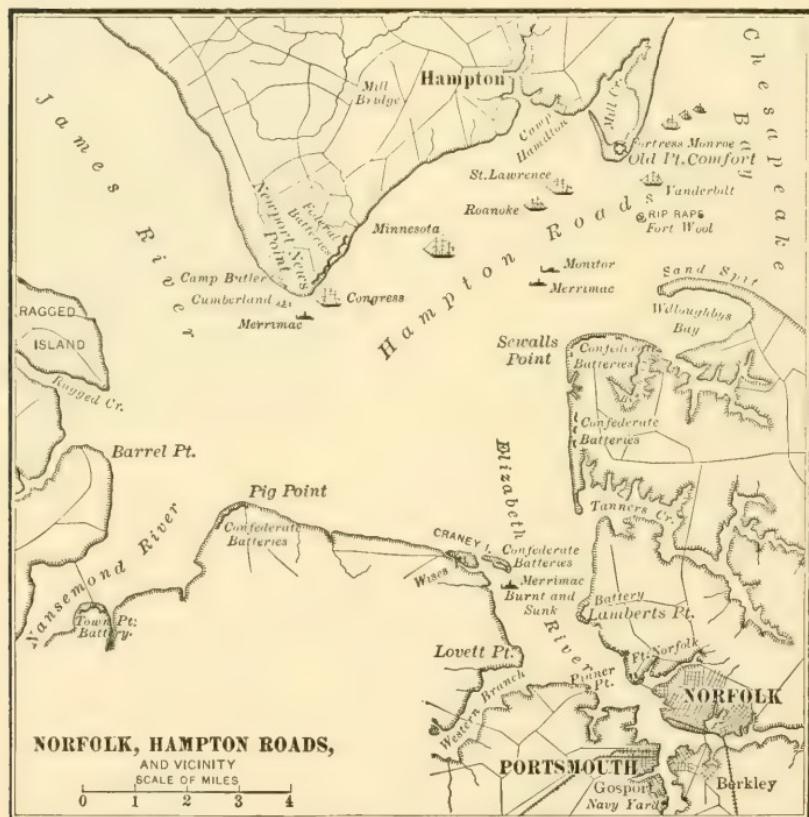
Vicksburg
still held by
the Con-
federates



ADMIRAL FARRAGUT.

Confederates had spared no effort or expense in fortifying it. On June 28 Farragut ran past Vicksburg with most of his fleet, but he could not silence the forts.

While Farragut was opening the Mississippi, McClellan had transported his army to Fortress Monroe in order to McClellan's plan of campaign advance on Richmond by way of the Peninsula. His plan was at first opposed by Lincoln and the politicians because of the fear that it would expose Washington to attack. They wanted to keep the army be-



tween Washington and the Confederates and to advance on Richmond by the direct route. McClellan's plan was

finally agreed to, and while he was preparing to move his army the entire North was thrown into a state of consternation by the appearance in Hampton Roads of the recently constructed Confederate ironclad *Virginia*.

The United States ship *Merrimac* had been burned when the Norfolk Navy Yard was abandoned. The Confederates raised the hull

The Merrimac and the
Monitor

and covered her with heavy armor made by joining railroad rails together. She was rechristened the *Virginia*, though at the North she continued to be known as the *Merrimac*. When she appeared in Hampton Roads, March 8, 1862, she at once attacked the Federal squadron of wooden ships. She rammed the *Cumberland* and sank her, fired the *Congress* and forced her crew to surrender, and ran the *Minnesota* and other members of the squadron into shallow water. The next morning she returned to complete the destruction of the

Federal fleet, but during the night Ericsson's *Monitor*, which had been built at the Brooklyn Navy Yard, had appeared on the scene. Most of the *Monitor* was submerged and her characteristic feature was the revolving gun turret, which gave her a greater range of action than any ship hitherto constructed. She was described by those who first saw her as resembling a cheesebox on a raft. As soon as the *Merrimac* sighted the *Monitor* they made for each other.

The fight began about eight-thirty on the morning of March 9. For hours the two ships pounded each other



JOHN ERICSSON, inventor of the *Monitor*.

at close range, but most of the shots glanced off without doing much damage. The *Merrimac* tried in vain to ram

A revolution in naval warfare the *Monitor*, but that craft being more easily handled successfully eluded these attempts.

Finally about 1 P.M. the *Monitor* withdrew to shallow water with her pilot house damaged and her commander blinded. As the *Merrimac* could not get at her adversary, she returned to Norfolk to repair her injuries.

When Norfolk was abandoned a few weeks later, the *Merrimac* was not ready to put to sea, and owing to her heavy draft it was impossible to take her up the James, so she was destroyed by the Confederates. On December 30 the *Monitor* foundered off Cape Hatteras on her way to join the blockading squadron before Charleston. This fight had, however, revolutionized naval warfare. The North at once began building turreted ships of the *Monitor* type, and the revolving turret was destined to be the characteristic feature of the later battleship.

McClellan arrived at Fortress Monroe April 2. He again displayed his usual beginning of the Peninsular campaign liberation. With an army of 100,000 men he spent a month besieging Yorktown. On April 17 Joseph E. Johnston took command in person at Yorktown, having under him 53,000 men. He had no idea of undergoing a bombardment and timed his evacuation nicely, withdrawing his army May 3, three days before McClellan's intended attack. McClellan was taken by surprise, but gave orders for immediate pursuit. On May 5 the Federal army was



GENERAL JOSEPH E. JOHNSTON.

checked with heavy loss at Williamsburg, but Johnston continued his retreat to Richmond. McClellan consumed a fortnight in moving his army from Williamsburg to the Chickahominy, a distance of forty or fifty miles.

The James River, now in possession of the Federal navy from its mouth to Drewry's Bluff, eight miles below Richmond, would have offered a much better base, but President Lincoln had held McDowell with a large force at Alexandria, and later near Fredericksburg, in order to protect Washington, and the plan was for this force to connect with McClellan's right. Therefore, instead of advancing up the James, McClellan had to approach Richmond along the Chickahominy from the east, so that he could connect with McDowell. On May 24 he was informed that 20,000 of McDowell's troops had been ordered to the Valley to co-operate with Frémont against Stonewall Jackson, who was chasing Banks toward Harper's Ferry.

Jackson's Valley Campaign of 1862 was one of the most brilliant recorded in military annals. Late in February a Federal army under General Banks crossed the Potomac and occupied Winchester and Strasburg. A part of this force was later sent east to Manassas and the rest fell back to Winchester. Jackson pursued with a greatly inferior force, and was repulsed with heavy loss at Kernstown March 23, 1862. Banks pursued Jackson up the Valley with 19,000 men, leaving several thousand to guard Harper's Ferry. Across the mountains in West Virginia Frémont had within easy reach 15,000 men in different detachments which he was slowly concentrating for the purpose of uniting with Banks in the Valley.

Jackson's
Valley Cam-
paign of
1862

As Banks's advance reached Harrisonburg, Jackson, who had with him between 7000 and 8000 men, moved into Elk Run Valley, east of the Massanutten Mountain, so as to be in communication with Ewell's division of about 9000, which was holding the line of the Rapidan. As Jackson's

total force of less than 17,000 men was opposed by 40,000, it was necessary for him to fight before Frémont and Banks could unite. Early in May Jackson summoned Ewell to watch Banks and with his own force mysteriously left the Valley. It was generally believed that he was on his way to join Johnston at Richmond, but after crossing the Blue



GENERAL "STONEWALL"
JACKSON.

Cross Keys and Port Republic Massanuttan range so as to unite with Ewell at Luray, defeated a Federal force at Front Royal, and sent Banks in full flight over the Potomac with the loss of one third of his army and all his baggage and supplies. Shields's division was immediately detached from McDowell's corps and sent back to the Valley to prevent Jackson from following Banks into Maryland. McClellan's plans were thus thwarted at a critical moment. Shields recaptured Front Royal, but Jackson promptly retired up the Valley to Woodstock.

Frémont came over the mountains from West Virginia and started in pursuit of Jackson, while Shields moved up the Luray Valley, east of the Massanuttan Mountain. Jackson retired to Harrisonburg and then turned east to

Ridge he put his troops aboard train and rushed them west to Staunton. He then marched rapidly to the village of McDowell, twenty-seven miles northwest of Staunton, and suddenly fell on one of Frémont's detachments under General Milroy. This force was utterly routed and Frémont's movements for the time being paralyzed.

Hurrying back to Staunton, Jackson at once started down the Valley, suddenly crossed the

Port Republic, where he held the only bridge by which his pursuers could unite. On June 6 General Turner Ashby, the brilliant commander of Jackson's cavalry, was killed in a skirmish two or three miles south of Harrisonburg. On the 8th Frémont was repulsed at Cross Keys and on the following day Jackson fell upon Shields at Port Republic and crushed him. During this battle Frémont burned the bridges in Jackson's rear so that the latter could not turn on him as he had intended. With his enemies in full retreat Jackson again mysteriously left the Valley and riding ahead of his troops quietly entered Richmond on the 23d for a conference with Lee.

Meanwhile, there had been heavy fighting around Richmond. On May 31 General Johnston attacked the two corps of McClellan's army south of the Chickahominy. The heaviest fighting took place at Seven Pines. It was indecisive, but Johnston was wounded. The fight was renewed the next morning in a half-hearted way, but at 2 p.m., June 1, General Lee, who had been acting as military adviser to President Davis, arrived on the scene and took command of the army, which he withdrew to Richmond. This battle, together with the heavy rains which washed away several of the bridges over the Chickahominy, kept McClellan quiet for some time. The latter also made a new disposition of his troops, placing them all south of the river, except the corps commanded by Fitz-John Porter. June 12 to 15 General J. E. B. Stuart made his famous ride around McClellan's army, cutting off communications, destroying large bodies of stores, and discovering for General Lee the location and strength of the Federal forces.

As soon as General Lee received Stuart's report he decided to call Jackson from the Valley and to hurl his force on the right of Porter's isolated corps. A. P. Hill was to cross over the Chickahominy at

General Lee
assumes
command of
the Con-
federate
army before
Richmond

Lee's bold
strategy

Meadow Bridge and advance toward Mechanicsville, thus causing the Federals to abandon the Mechanicsville bridge and enable Longstreet and D. H. Hill to cross. This plan involved a division of Lee's army. Fifty thousand Confederates would be concentrated against Porter and only 27,000 would be left to face McClellan. McClellan had 75,000 men south of the Chickahominy. General Lee took the chance, however. He knew McClellan well and while he considered him an able fighter, he did not consider him capable of bold strategy.

Jackson's division was half a day late in arriving on the scene of action. A. P. Hill waited at Meadow Bridge until

Battles of
Mechanics-
ville and
Gaines's
Mill

3 o'clock on June 26, then, fearing further delay, he crossed the river and came in front of Porter, but he met with a bloody repulse at Mechanicsville. The next morning at daylight

Porter, learning that Jackson was in his rear, retired to a strong position east of Gaines's Mill, his troops forming a semicircle with the extremities on the river covering two bridges.

The battle began about 2:30 P.M. in an attack by A. P. Hill, who hurled his troops in vain against the strong Federal position. Longstreet and Jackson, not knowing of the strength of Porter's position, were both waiting for Hill to dislodge him. At this time the Confederate army had a very poor staff organization, and the lack of coöperation was due to this fact. After the fight had raged for an hour Jackson began a general advance. Night found Porter's troops exhausted and his center pierced. He fell back hastily to the bridges, leaving 22 guns and 2800 prisoners in the hands of the Confederates. The timely arrival of Sumner's brigades was all that prevented a rout. During the night Porter got his troops across the river.

McClellan now decided to retreat to the James. This decision disconcerted General Lee, who expected him to

retreat to his base on the Pamunkey. As most of Lee's troops were across the Chickahominy, an entire day, June 28, was lost before the Confederate advantage ^{Malvern} could be pressed. On June 29 and 30 there was ^{Hill} fighting along White Oak Swamp and at Frayser's Farm. Here again the poor staff organization was in evidence, and Jackson's troops were slow in getting into action. Of Lee's 75,000 men, only 25,000 were actually engaged.

During the night of June 30 General Lee decided, against the judgment of Stonewall Jackson, to attack McClellan's position at Malvern Hill. On the following day a short but fierce engagement ensued, in which the Confederates lost 5000 men, and the Federals about one third of that number. McClellan, however, continued his retreat to Harrison's Landing, where he was within reach of his gun-boats and transports, and there was nothing to do but watch his movements. In the entire seven days' fighting the Confederates lost 20,000 and the Federals 16,000. The Confederates, however, captured 52 guns and 35,000 rifles, partially filling the much-felt need of modern weapons.

At the first news of McClellan's repulse, Washington was again thrown into a state of consternation, and General Pope was called from the West and given command of the armies of Frémont, Banks, and McDowell, in order to defend Washington. The ^{Loss of confidence in McClellan} Administration had lost confidence in McClellan and General Halleck was called East and placed in command of all the armies of the United States. On July 25 Halleck went to Harrison's Landing to confer with McClellan. The latter wanted to renew operations along the James and to cut the line of communication with Petersburg, but he demanded 20,000 more troops, still laboring under the delusion that Lee had 200,000. On August 3 the government recalled the Army of the Potomac in spite of McClellan's protest.

When Pope assumed command before Washington, he issued a bombastic address to his troops, saying that in the

**General
Pope in
command in
northern
Virginia**

West they were in the habit of seeing the backs of their enemies. He also remarked, when asked where he would make his headquarters, that his headquarters would be in the saddle. His plan was to seize Gordonsville, where the railroad from Richmond to the Valley intersected the line from Washington to the

South, but General Lee sent Jackson to that point and later A. P. Hill to reënforce him. It was important for the Confederates to deliver a blow before Pope could be reënforced by the Army of the Potomac, and Jackson decided to advance to Culpeper Court House. On August 9, 1862, Jackson had a sharp fight at Cedar Run, seven miles south of Culpeper, with his old opponent Banks, in which the latter was finally driven back with heavy losses. On August

13, as soon as Lee saw that McClellan was embarking his troops, he sent Longstreet's division toward Gordonsville, and on the 15th he arrived himself and held a council of war. After maneuvering along the line of the Rapidan, Pope withdrew his forces behind the Rappahannock.

Lee finally decided on the bold plan of again dividing his army in the face of the enemy and sending Jackson

**Jackson's
flank move-
ment to
Manassas** with 25,000 men around through Thoroughfare Gap for the purpose of falling upon Pope's stores and communications and forcing him from his position. Several miles west of Manassas lies the small range of the Bull Run Mountains. The principal



GENERAL LONGSTREET.

break in this range is Thoroughfare Gap. Jackson's army started on its long circuitous march August 25. On the 26th he passed through the Gap and turned southeast to Bristoe Station. Here he was thirteen miles in the rear of Pope's headquarters and right across his line of communications. Stuart's cavalry with a small detachment of infantry went to Manassas station that night and destroyed immense stores of supplies, after taking all that they could carry away.

As soon as Pope realized that Jackson was in his rear he began concentrating his troops between Warrenton and Gainesville. Jackson, however, had fallen back ^{Pope out-} to a position between Gainesville and Bull Run, ^{generaled} near the field of the first great fight, to await the arrival of Lee and Longstreet's division. Had Pope acted on McDowell's advice and seized Thoroughfare Gap he might have prevented the union of the two wings of the Confederate army, but he seems to have been completely mystified by the movements of Lee and Jackson and let the opportunity slip. On the 28th Jackson repulsed the Federal attack at Gainesville, with heavy losses on both sides, and the following day he was being hard pressed at Groveton when Longstreet's division arrived.

On the 30th Pope renewed the attack and for hours the battle raged on the already historic field of Bull Run, but with the positions of the Union and Confederate armies in large part reversed. The Federal forces were finally repulsed all along the line ^{Second battle of Manassas} and made their last stand on the Henry House hill. When night came on the Federal left wing still held the crest of the hill, but under cover of darkness the whole Federal army retired across Bull Run to Centerville. Here Pope assumed a strong position. Although his army still largely outnumbered that of Lee, he continued his retreat on the following day to the fortifications at Washington. Two of

McClellan's corps joined Pope before the battle, but Fitz-John Porter, who commanded one of them, was charged with failure to coöperate. After a long trial he was cashiered, but it appeared later that great injustice had been done him and years afterward he was restored to his place in the army by special act of Congress.

On September 3 McClellan, whose army had been brought up the Potomac to Alexandria, was placed in command of the defenses of Washington, and a few days later Pope was relieved of his command and McClellan again placed in charge of the army. Results of the campaign Lee's campaign had been a brilliant success. He had driven the enemy from the Rappahannock to the defenses at Washington. He had captured thirty guns, 20,000 rifles, and 7000 prisoners, and inflicted on the Federals the loss of 13,500 in killed and wounded. His own loss was 10,000.

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CHAPTER XXII

THE HIGH TIDE OF THE CONFEDERACY

AFTER the overwhelming defeat of Pope at Second Manassas, General Lee decided to invade Maryland, and having gained the consent of President Davis, his troops crossed the Potomac September 4 and 5 and occupied Frederick City. On September 15 Jackson captured Harper's Ferry, with the entire garrison of 12,500 men, and reunited with Lee before McClellan was ready to attack. Lee's full strength was now barely 50,000. McClellan advanced toward Frederick City with 85,000 men, and Lee decided to make his stand behind the Antietam River. At Frederick McClellan came into possession of a dispatch lost by one of Lee's staff officers, which revealed the Confederate plan of campaign, but he failed to make full use of the opportunity which it presented.

The
Antietam
campaign

On September 17 occurred the battle of Antietam, called by the Confederates the battle of Sharpsburg. McClellan's attempts to crush the Confederate left failed. The center was the next point of attack, but A. P. Hill's division reënforced the line at this point, and the Federals were again repulsed. McClellan's losses in this battle were over 12,000, while General Lee's were 9500. Tactically, the Confederates had slightly the advantage, and on the day following the battle the forces stood facing each other, but McClellan declined to renew the contest, and Lee was not strong enough to attack him. As a decisive victory was necessary to enable General Lee to maintain himself north of the Potomac, he withdrew during the night, and the following day his

entire command recrossed into Virginia. The fruits of the campaign lay with McClellan.

President Lincoln took advantage of Lee's repulse to issue his preliminary proclamation of emancipation. He had been considering this measure for some months, but, notwithstanding the pressure brought to bear on him by the abolitionists, there were weighty reasons for not sooner taking the step. In the first place he had insisted at the outset that the war was being waged solely for the restoration of the Union and that he had no constitutional right or intention of interfering with the domestic institutions of any State. Then, too, the announcement of such a policy at an earlier date would have caused serious disaffection in the border States, particularly in Kentucky. The border States were now secured, so that this reason no longer held.

Preliminary
proclama-
tion of
emancipa-
tion

Furthermore, feeling at the North had undergone a marked change and abolition sentiment had made great headway. The South, on the other hand, was in great dread of a slave uprising, though events proved that there was no ground for such fears. President Lincoln hoped, therefore, not only to unite the North by turning the war into a crusade against slavery, but also to make the negroes the secret friends of the North and to compel many Southerners to leave the army and return to the plantations to protect their women and children. Of greatest weight, however, was the probable effect of the proclamation on public opinion abroad, particularly in England, where the cabinet was then seriously considering a proposition to recognize the independence of the Confederacy.

The proclamation was strictly a war measure. A month before it was issued President Lincoln wrote to Horace Greeley: "If I could save the Union without ^{A war} freeing any slave I would do it; and if I could ^{measure} save it by freeing all the slaves, I would do it; and if I could

save it by freeing some and leaving others alone, I would do that also." This last was the course he followed, for the proclamation declared that on the first day of January, 1863, "all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free." The holding of slaves in the border States that remained in the Union was still legal, as the war power under which the president acted did not extend to these States.

After Antietam General Lee slowly crossed the Potomac without any effort on McClellan's part to hinder him. It was more than a month before the president and cabinet could persuade McClellan to follow the McClellan again superseded Confederate army into Virginia. Lee remained for awhile in the Valley. He then sent Longstreet's corps across the Blue Ridge to Culpeper Court House, while he kept Jackson in the Valley to menace McClellan's communications, and to threaten another invasion of Maryland. McClellan was preparing an advance on Longstreet before the latter could be reënforced, when on November 7 he was relieved of command and Burnside appointed to take his place. McClellan's egotism and want of respect for the president were almost intolerable. Furthermore, he was opposed to emancipation and was already spoken of as a possible Democratic candidate for the presidency. With all his shortcomings, he was the best commander the Army of the Potomac ever had. Burnside who succeeded him was probably the most incompetent general officer then serving in that army.

The new commander resolved to abandon McClellan's plan, move his army down the Rappahannock to Fredericksburg, cross the river at that point, and push The battle of steadily forward to Richmond. Lee succeeded Fredericksburg again in uniting the two wings of his army, and took up an exceedingly strong position at Fredericksburg.

On December 13, 1862, Burnside, spurred on by the impatience of the cabinet at Washington, crossed the river and made a frontal attack on Lee's position. He was repulsed with terrible slaughter. Lee was unable to deliver a counterstroke, as the Federal retreat was secured by six bridges and the batteries massed on Stafford Heights. Throughout the 14th and 15th, the two armies lay facing each other. On the night of the 15th during a severe storm, Burnside withdrew his army to the north bank.

On January 26, 1863, Burnside was removed and Hooker appointed to succeed him. Hooker had gained the reputation of a hard fighter. He had been strongly opposed to Burnside and had intrigued against him. He seemed to be the most competent man in the Army of the Potomac and President Lincoln did not wish to try another man from the West after his experience with Pope. After reorganizing his army, Hooker decided to turn Lee's left by crossing the Rappahannock River by several fords higher up and concentrating his right wing of four corps at Chancellorsville. Meanwhile, Sedgwick was to cross the river below Fredericksburg with two corps and hold the Confederate army in its intrenched position. Another corps was to remain at Falmouth in reserve.

Hooker
succeeds
Burnside

On April 27 the movement began. On May 1 Hooker advanced from Chancellorsville against the Confederate lines, but Jackson had united with Lee and the Confederates were so much stronger than Hooker expected that when his advance was sharply checked, he fell back to his line at Chancellorsville. The Confederate position was a dangerous one. The Federal center and left were impregnable, but Stuart reported that the Federal right could be turned.

Lee and Jackson now undertook a bold move. About 4 A.M. on May 2 Jackson's corps set out on a fourteen-mile detour for the purpose of turning Hooker's right. Jack-

son took with him 26,000 men, while Lee with 17,000 undertook to keep Hooker employed. Hooker had 70,000 men with him and 40,000 with Sedgwick, only eleven miles distant. The Confederate plan was reckless in the extreme, but some desperate move was necessary. At 6 P.M. Jackson fell on Howard's corps, taking them completely by surprise. It was supper time, the men were smoking, playing cards, and preparing the evening meal. In ten minutes the first Federal brigade was in full flight, and a quarter of an hour later the whole division was in flight.

About 7 P.M. the Confederate advance became slower, owing to the character of the country, and Jackson rode forward to make a reconnoissance. As he and his staff returned, a company of North Carolina infantry mistook them for Federal cavalry and fired several shots, wounding Jackson.

On the morning of the 3d the Confederate army was still divided and in a dangerous condition. Either on that day or the next Hooker could have assumed the offensive with good chances of an overwhelming victory, but he delayed and hesitated and lost his nerve. With a force double the size of Lee's, Hooker allowed himself to be defeated in detail and finally driven back across the Rappahannock. Considering the numbers engaged it was the worst defeat suffered by any Union army during the war. The death of Jackson on May 10 made Chancellorsville in a way the turning point of the war. The great flank marches at Second Manassas and at Chancellorsville are lasting monuments of the united daring and genius of Lee and Jackson.

For a month the two armies faced each other on opposite banks of the Rappahannock. President Davis still advocated a defensive policy and still hoped that the "Copperheads" at the North or foreign intervention would put an end to the war. Lee

Battle of
Chancellors-
ville

Death of
Stonewall
Jackson

Lee decides
on an
invasion of
Pennsyl-
vania

was convinced that the only hope of dislodging the enemy and defending Richmond lay in an invasion of the North. Davis finally consented to a forward movement and on June 3 Lee started in the direction of Culpeper. In a great cavalry fight at Brandy Station Stuart defeated Pleasanton. Lee then advanced over into the Valley by way of Front Royal, and Hooker withdrew from Falmouth toward Washington.

Lee now determined to invade Pennsylvania with his entire army by way of the Cumberland Valley. Ewell's corps led the way. On the 23d two divisions reached Chambersburg and Early was sent to York. The corps of Longstreet and Hill crossed the Potomac on the 24th, and the following day Hooker crossed with his army and occupied Frederick City. His plan was to move along the eastern base of the South Mountain Range and at the first opportunity to attack Lee's line of communications. The government had, however, lost confidence in Hooker and on the refusal of Halleck to approve of some of his plans he tendered his resignation. It was promptly accepted and on June 28 General George Gordon Meade was appointed to command. Meade abandoned Hooker's idea of threatening Lee's communications and decided to intervene between him and Philadelphia in case he marched north, or between him and Baltimore and Washington in case he turned south.

The two armies rapidly converged on Gettysburg, much more rapidly than either commander anticipated. The absence of Stuart's cavalry kept General Lee in the dark as to the movements of the Federal army. Stuart had swept around the rear of that army and crossed the Potomac between it and Washington. The rapid advance of the Federals had forced him to make a long detour to the northeast and he did not reach Gettysburg until the afternoon of the second day's fight. As a result of Stuart's absence Hooker had

The two
armies con-
verge on
Gettysburg

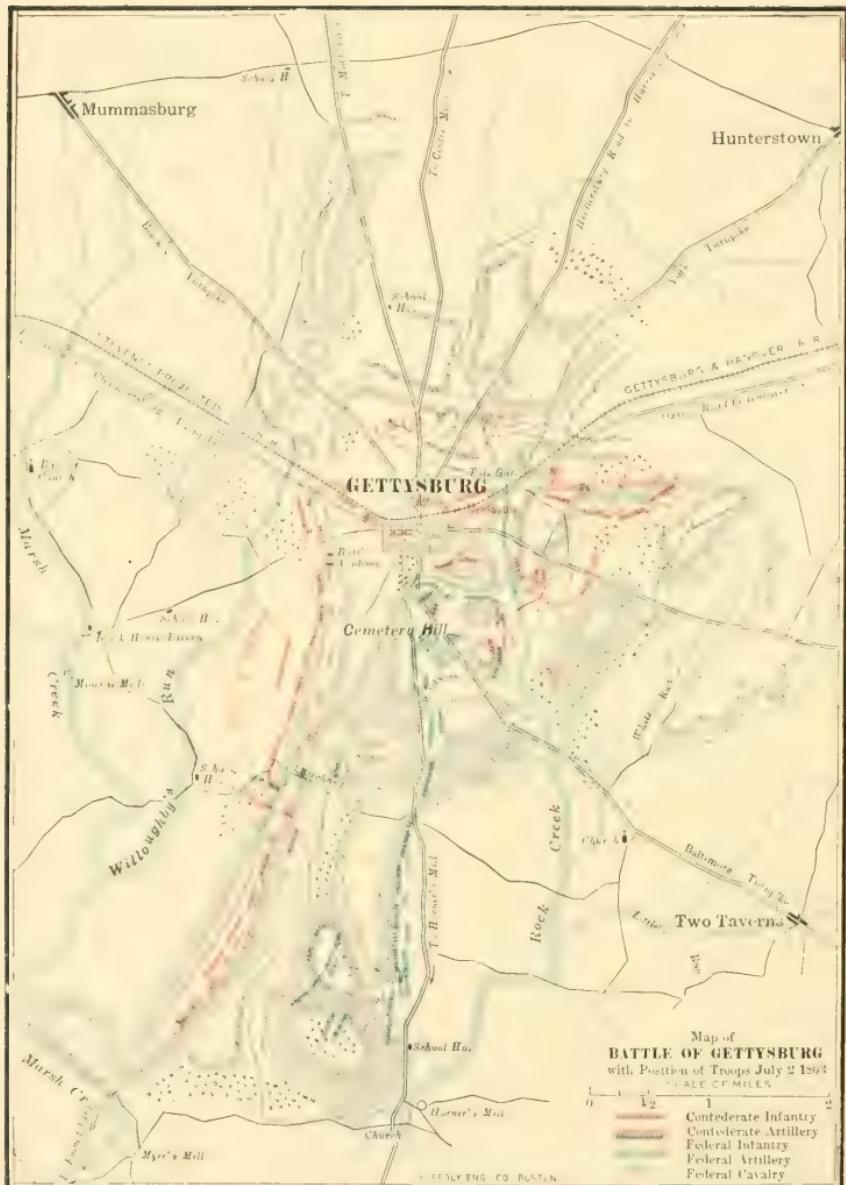
been over the Potomac three days before General Lee knew it, and now the latter was not accurately informed as to Meade's movements.

While the various Confederate divisions were being drawn in from the north and west toward Gettysburg, Meade was rapidly concentrating his army southeast of that town. On the 30th a division of Federal cavalry occupied Gettysburg and on the morning of July 1 Reynolds arrived with the First Corps and led one of his divisions about a mile west of the town on the Chambersburg road to support the cavalry outposts. Here they encountered Heth's division of Hill's corps advancing from the west, and a battle ensued on the banks of Willoughby Run in which the gallant Reynolds was killed and the Federal forces were driven back through Gettysburg.

Hancock, who arrived at an opportune moment early in the afternoon, brought order out of confusion and rapidly concentrated the scattered Union forces along the brow of Cemetery Hill. When General Lee reached Seminary Ridge he ordered Ewell's corps forward to capture Cemetery Hill, warning him, however, not to bring on a general engagement until the arrival of Longstreet's corps. A false report that a Federal force was threatening Ewell's left caused him to postpone the attack until it was too late to do anything that night. Thus ended the first day's fight at Gettysburg. So far, the Confederates had the better of the fighting.

That night the Federal position was reënforced and strengthened. General Lee decided, however, to renew the attack. His plan was for Longstreet to attack the Federal left and Hill to make a demonstration against the center, while Ewell's corps carried Culp's Hill, occupied by the Federal right. Longstreet delayed his attack, which was to have been made early in the day, until 4 P.M. He had opposed Lee's plan, as he considered the

Results of
the first
day's fight



Federal position too strong to be carried. He had advised Lee to maneuver Meade out of his position by a movement around his left. There was no excuse, however, for his lack of coöperation after his plan had been overruled.

The Federal position was a strong one. The lines extended in the form of a fishhook from Culp's Hill to Round Top, except that on the left Sickles's corps occupied an advanced position, with an angle extending out to the Emmitsburg road. When Longstreet did get into action he was a good fighter, and Sickles's position was carried by Hood's division of Longstreet's corps, but the Confederates failed in the attempt to seize Round Top. Ewell's assault on Culp's Hill, which was delayed until Longstreet's attack, was not successful, though several Federal positions were carried. The Confederates, on the whole, had the advantage of the day's fighting. Furthermore, Stuart's Cavalry and Pickett's division had arrived on the scene of action. General Lee therefore decided to continue the fight next day.

The Federal generals were less confident, but after a council of war, Meade decided to stand his ground and fight it out. Lee now decided to assault the Federal center, although Round Top had been reënforced The third day by the fifth and sixth Union corps. At the same time Ewell was to attack the Federal right. A part of his force had taken a position in the rear of the Federal line at Culp's Hill and at dawn on July 3 the Federals attacked and overwhelmed it. By 11 A.M. the struggle for Culp's Hill was at an end and Ewell's attack thwarted. Longstreet displayed



GENERAL PICKETT.

the same reluctance that he had shown on the preceding day. Pickett's division was selected to charge the Federal center and it was to be reënforced by men from Hill's corps.

By 9 A.M. Pickett was ready for the advance. It was 1 P.M., however, before the order was given. After a terrific **Pickett's charge** artillery duel, which lasted for an hour, the infantry column was started on its fateful charge. Pickett's men had nearly a mile to cover. As they advanced down the slope they received the full fire of the Union batteries. Then for a brief period they were partially sheltered by the ravine. Then, as they advanced up the face of the ridge, they were again met by a withering fire. Thousands fell; the line faltered, but Pickett's division pushed on in the lead. The crest of the hill was won and the Federal line forced back, but there was no support at hand and nothing to do but to retreat.

Of 4900 men in Pickett's own division over 3000 were killed or taken prisoners. Of fifteen regimental commanders, ten were killed, and five wounded. Of the three brigadiers, Garnett and Armistead were killed, and Kemper was wounded. Pettigrew's division suffered nearly as severely as Pickett's. Meade's army attempted no counterstroke, but remained securely in its position. On the following day, July 4, General Lee slowly began his retreat into Maryland. The Federal loss at Gettysburg was 23,000 and the Confederate a little over 20,000.

On the day that Lee began his retreat from Gettysburg, Pemberton surrendered Vicksburg to Grant. The fall of **Military operations in the West** Vicksburg was as great a blow to the fortunes of the Confederacy in the West as Gettysburg was in the East. After the fall of New Orleans in the spring of 1862, Vicksburg and Chattanooga were the two most important strategic positions in the West, and for their possession a fierce and stubborn contest was waged. Chattanooga was an important railroad junction

and the door to East Tennessee. As that part of Tennessee which lies between the Cumberland and Great Smoky Mountains was strongly Union in sentiment, Lincoln was anxious to drive the Confederates out and organize a government among those who favored the Union. The task of capturing Chattanooga and occupying East Tennessee was assigned to Buell and the army of the Ohio. But before Buell had fairly started on his campaign he was thrown on the defensive by the aggressive movements of the Confederate Generals Braxton Bragg and Kirby Smith.

Late in August, 1862, Kirby Smith marched from Knoxville across the Cumberland Mountains into Kentucky, defeated a Union force which opposed him, and occupied Lexington, the center of the famous blue-grass region. From this position he threatened both Louisville and Cincinnati, and caused widespread alarm. Meanwhile, Bragg, who had succeeded Beauregard in the West, had crossed the Tennessee River at Chattanooga and was advancing northward through Middle Tennessee, while Buell concentrated his forces at Murfreesboro, and then started for his base on the Ohio at Louisville. The two armies were thus advancing along parallel lines and it became a race for Louisville. Bragg got the lead and could probably have entered Louisville, but he was afraid to do so with Buell close on his heels, so he turned eastward to be in touch with Kirby Smith, and Buell got into Louisville late in September.

Confederate invasion of Kentucky

Bragg and Smith met with the same conditions in Kentucky that Lee encountered about the same time in Maryland. There were a great many Confederate sympathizers, but no general uprising. Buell soon advanced from Louisville with 58,000 men, and for several days he and Bragg were maneuvering for position. On October 8 occurred the battle of Perryville, largely accidental in origin, as neither commander intended to bring

Battle of Perryville

on a general engagement. The Confederates engaged in this battle numbered 17,000, while Buell made use of only about half his force. The Federal left wing was turned by Hardee, who inflicted heavy losses and captured 15 guns. The Confederates, however, were not strong enough to push their advantage, and retreated during the night to Harrodsburg and later into Tennessee. Though not a decisive battle, Perryville ranks among the major engagements of the war on account of the severity of the losses.

On October 30 Buell was relieved of command and Rosecrans placed at the head of what was henceforth known as

Battle of Murfreesboro the Army of the Cumberland. While Rosecrans was rebuilding the railroads and strengthening his communications between Louisville and Nashville, preparatory to an advance on Chattanooga, Bragg concentrated his forces at Murfreesboro. In a desperate three days' fight, December 31, 1862, to January 2, 1863, both sides lost heavily; but Bragg finally withdrew toward Chattanooga. Rosecrans, however, remained for the next six months on the defensive, holding Kentucky and the greater part of Tennessee.

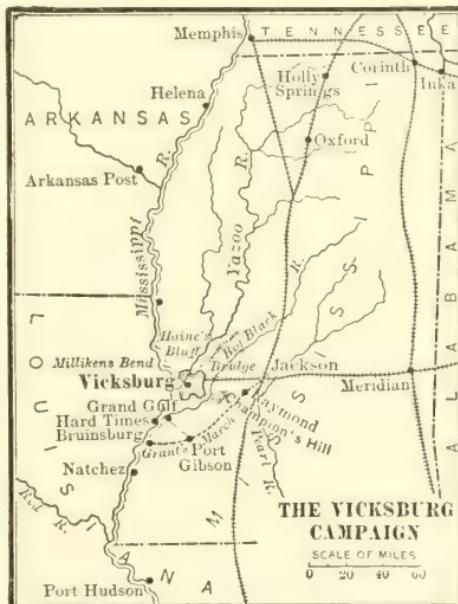
The campaign of 1863 opened in the West with the combined attack of the Federal army and navy on Vicksburg.

The Vicksburg campaign The most difficult problem which Grant had to face was to find solid ground near the city on which to encamp his army. In December Sherman had attempted to gain a foothold on the bluffs north of the city, but had been repulsed with heavy loss. At the same time Grant's attempt to reach Jackson from Corinth was thwarted by the Confederates, who cut the railroad communications in his rear. During February and March, while most of his troops were at Milliken's Bend, several unsuccessful attempts were again made to occupy the bluffs north of the city. At the same time Sherman's corps was engaged in the attempt to dig a canal across the peninsula

opposite Vicksburg so that transports and supply ships could pass without coming within range of the guns, and the troops be landed on the east bank of the river below the city; but the Confederates stationed batteries so as to command the southern outlet of the canal and the project was abandoned.

Grant finally decided to carry out a plan which, though hazardous in the extreme, he had been considering for some time. It was for Porter's fleet to run past the batteries with the supplies, while Grant was to lead his troops by land to New Carthage and then take them across the river to Grand Gulf, about thirty miles south of Vicksburg. Having successfully executed this movement by the end of April, with some damage to the fleet, Grant decided to abandon his base at Grand Gulf, to get in the rear of Vicksburg and cut it off from Jackson, and to establish a new base north of the city at Yazoo. On the first of May he defeated a part of Pemberton's army at Port Gibson and advanced rapidly toward Jackson.

On May 13 Joseph E. Johnston, who had been appointed commander of all the Confederate forces in the West, arrived at Jackson on his way to form a junction with Pemberton, but he came too late, and on the following day after slight resistance abandoned the state capital to Grant. The latter then turned on Pemberton and two days later defeated him in a fierce fight at Champion's Hill. Pemberton was driven



back into Vicksburg and Grant's troops advanced north and occupied Chickasaw Bluffs.

On the 19th and again on the 22d Sherman's troops tried to carry the Confederate trenches by assault, but they were repulsed with heavy loss and Grant decided to settle down to regular siege operations. Pemberton, who was thus shut up in Vicksburg with over 30,000 men, had been ordered by Johnston on the 17th to abandon the place, but he interpreted the orders as discretionary and decided to stand his ground. Johnston did not care to assume the responsibility of withdrawing troops from Bragg, who was holding Rosecrans in check at Chattanooga, so Pemberton was left to his fate. After having been subjected to an almost continuous bombardment from cannon and mortars, and after the garrison and population had been reduced to the point of starvation, Pemberton surrendered Vicksburg July 4, 1863, the day after the defeat of Lee at Gettysburg. In the movement against Vicksburg Grant displayed greater strategic ability than in any other campaign in his career.

In September Grant and Sherman marched eastward to the relief of Rosecrans, who was besieged by Bragg in Chattanooga. After the battle of Murfreesboro Rosecrans had remained inactive in middle Tennessee for several months. Late in June, 1863, he at last began a forward movement, and within ten days, by means of his greatly superior force, he maneuvered Bragg out of strong positions and forced him to retire across the Tennessee River. Next to Richmond, Chattanooga was now the most important position in the Confederacy. It was protected on the north by the Tennessee River, and on the south by high ridges of the Appalachian Mountains, guarding the passes into Georgia. Encouraged by his brilliant success, Rosecrans determined not only to capture Chattanooga, but to destroy Bragg's army. Burnside had

**Siege and
fall of
Vicksburg**

**Operations
around
Chatta-
nooga**

been ordered to advance with the Army of the Ohio from Lexington, Kentucky, against Knoxville, Tennessee, and it was not deemed advisable for Rosecrans to advance against Chattanooga until Burnside's movement was well under way. It was the middle of August before these concerted movements began.

Early in September Rosecrans succeeded by clever strategy in getting his army across the Tennessee River, whereupon Bragg, to avoid being shut up in Chattanooga, withdrew his army to Lafayette, a point about twenty-five miles south of the city. Thinking that the Confederates were in full retreat, Rosecrans hurried his troops forward in pursuit through widely separated mountain gaps, when Bragg suddenly turned on him at Chickamauga Creek. The concentration of the Federal army was effected only with great difficulty and at great hazard, and had Bragg pushed his attack more vigorously his victory would have been overwhelming. He was waiting, however, for the arrival of Longstreet's corps from the Army of Northern Virginia, which had to make the long railroad journey through the Carolinas and Georgia. The arrival of these reinforcements made the numerical strength of the two armies about equal.

With the arrival of a part of Longstreet's corps on September 19 Bragg began the attack. The Confederates fought with great spirit next day, and would have completely routed the Federal army but for the splendid conduct of General George H. Thomas. As it was, Rosecrans's right wing was swept from the field, and he himself carried along with the fleeing rabble all the way to Chattanooga, where he sent a telegram to Washington, saying that his army was "overwhelmed" by the enemy. Thomas, however, with 25,000 men held his position on Horse-Shoe Ridge against repeated assaults until after dark, when he retreated to Chattanooga.

After the fight Bragg laid siege to Chattanooga, hoping to starve Rosecrans out, and the latter was soon reduced to extremities. Chickamauga was a terrible shock to the cabinet at Washington, and at a midnight session it was decided to detach the Eleventh and Twelfth corps under Hooker from Meade's army in Virginia and send them west by the Baltimore and Ohio railroad. The forces of Sherman and Grant were already on the way. On October 16, 1863, Grant was placed in command of the department of the Mississippi, which comprised the Armies of the Cumberland and of the Tennessee. Sherman succeeded him in command of the Army of the Tennessee, while Rosecrans was removed and Thomas placed in command of the Army of the Cumberland.

Grant reached Chattanooga October 23. By the middle of November he was ready to begin operations against Bragg. On the 24th Hooker seized the top of Lookout Mountain in the "Battle above the Clouds." On the 25th Thomas's troops stormed and carried Missionary Ridge, and Bragg retreated south into Georgia. The Federal army numbered about 60,000 and its losses were 6000. While Bragg had 33,000 troops, his actual losses in killed and wounded were less than the Federal, but he lost forty guns and 6000 prisoners. This was the only battle in the war in which all four of the greatest Federal generals were engaged, Grant, Sherman, Thomas, and Sheridan. Sherman was immediately sent to Knoxville, where Burnside was besieged by Longstreet. As he approached, the latter was forced to retire. Chattanooga and Knoxville were securely held by the Federals until the end of the war.

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CHAPTER XXIII

THE BLOCKADE AND FOREIGN RELATIONS

The blockade and foreign relations HISTORIANS of the Civil War have described military operations in great detail, but they have paid little attention to the blockade and to the attitude of foreign governments. During the first two years of the war the Southerners had decidedly the advantage in the field and scarcely anybody in the Confederacy and very few foreign observers believed that the North would ever succeed in conquering the South. The outcome was in fact the result of the naval supremacy of the North and the failure of foreign governments to intervene.

Faith in the supremacy of cotton In 1860 the Southern States produced about seven eighths of the world's supply of cotton, and the mills of England and France, with their thousands of hands, were dependent upon the cotton crop of the South. In view of these facts, it is not surprising that the Southern people believed that Cotton was King and that any attempt on the part of the North to keep it from the markets of Europe would result in the speedy intervention of England and France and the recognition of the Confederacy. It was this belief, held with an infatuation from which the actual failure of foreign negotiations alone could release them, that caused the Southerners to enter upon the war without any naval preparation and without taking into consideration the possibilities of the blockade, which was in the end destined to be the determining factor in the contest.

On April 19, 1861, President Lincoln, acting, he said, "in pursuance of the laws of the United States and of the Law of Nations," proclaimed a blockade of the Confederate ports from South Carolina to Texas, and eight days later extended it so as to include the coasts of North Carolina and Virginia. On May 13 the Queen of England issued a declaration of neutrality, which was followed by similar declarations from France and other maritime powers. This action did not commit the powers to a recognition of the independence of the Confederacy, nor to the reception of diplomatic agents. It merely extended to the Confederates the rights of belligerents, that is, it entitled their flag to recognition on the high seas, and their ships of war and commerce to the same privileges in neutral ports as were accorded the ships of the North. The action of England was deeply resented in the United States and was made the subject of reiterated complaint. It was considered an unfriendly act, and the first step toward ultimate recognition of Confederate independence.

Blockade
and belliger-
ency

Before the outbreak of hostilities the Confederate government had taken steps to gain admission into the family of nations. In March, 1861, Robert Toombs, secretary of state, sent abroad a commission headed by W. L. Yancey with instructions to go to London and thence to the other European capitals to press the claims of their country to full recognition as an independent power. On May 3 the commissioners were granted a private interview by Lord Russell, the British foreign secretary, but they received little encouragement. It was at once clear that his policy was to delay recognition and to await the outcome of the struggle.

The Con-
federacy
seeks recog-
nition of in-
dependence

At Paris they found the attitude of the Emperor Louis Napoleon more favorable, and they were informed that recognition was a mere matter of time, but that England and France had agreed to pursue the same course and to act together.

In a dispatch to Toombs, the commissioners expressed confidence that neither England nor France was averse to the disintegration of the United States, but they feared that public opinion against the Confederacy on the slavery question would embarrass the governments in dealing with the question of recognition. On August 29, 1861, President Davis appointed James M. Mason of Virginia as special commissioner to England and John Slidell of Louisiana as special commissioner to France.

Mason and Slidell ran the blockade at Charleston October 12 and proceeded to Havana, whence they sailed November

Mason and Slidell taken from aboard the Trent 7 on the English mail steamer *Trent*, for Southampton. On the following day when passing through the Bahama Channel, the *Trent* was overhauled by the United States man-of-war *San Jacinto*, commanded by Captain Wilkes, and the Confederate commissioners, together with their secretaries, were forcibly removed and taken to Fort Warren in Boston Harbor. The act of Captain Wilkes met with almost universal approval at the North. He was officially commended by the secretary of the navy, fêted at Boston and New York, and given a vote of thanks by the House of Representatives. Neither Seward nor Lincoln appeared to realize at the time that the seizure of Mason and Slidell was not sanctioned by the law of nations.

On December 20 Lord Lyons, the British minister at Washington, made a formal demand on Mr. Seward for the

Great Britain demands their release surrender of Mason and Slidell. The United States was given seven days to make a reply. If, at the end of that time the British demand was not complied with, Lord Lyons was instructed to close the legation and leave Washington. At the same time England made extensive naval preparations and sent 8000 troops to Canada. The British note was couched in polite and conciliatory terms, and Lord Lyons commun-

cated it to Secretary Seward in a most friendly and tactful way.

On December 26 Seward replied that Mason and Slidell would be surrendered on the ground that the case was not clearly covered by existing international law, though he argued at length that they might be considered either as contraband or as the embodiment of dispatches. The Confederates were greatly disappointed at the outcome, as they had hoped that the controversy would lead to a rupture between England and the United States.

Mason and Slidell were transferred to a British man-of-war in January, 1862, and reached London in February, where they were granted an unofficial interview by Lord Russell, the British foreign secretary. *Attitude of England* In giving a report of this interview, Mr. Mason said: "On the whole, it was manifest enough that his personal sympathies were not with us, and his policy inaction." In a communication addressed to Lord Russell, Mr. Mason discussed at length the blockade and inclosed a list of vessels entering and clearing from Cuban ports engaged in commerce with the Confederate States. He argued from these facts that the blockade was not effective, and was therefore a violation of the Declaration of Paris, and that consequently England and France were under no obligation to observe it.

As a matter of fact, the United States found it impossible at the outset to blockade the entire coast of the Confederacy, and it was more than a year before the blockade was anything like effective. Thus England and France had sufficient grounds for ignoring it, but they did not wish to get into a war with the United States, and refrained from taking advantage of the situation.

The French emperor when approached on the subject agreed that the blockade was not effective and said that he would long since have taken the necessary steps to put an end to it, but that he could not obtain the consent of the

British ministry and that he was unwilling to act alone. He declared that he was prepared to send a formidable fleet to the mouth of the Mississippi if England would send an equal force; that they would demand free ingress and egress for their merchant vessels with their cargoes of goods and supplies of cotton which were essential to the world. In July, 1862, Mason and Slidell addressed formal notes to the British and French governments asking for recognition of Confederate independence. Lord Russell replied that in view of the capture of New Orleans and the advance of the Federal forces up the Mississippi, her Majesty's government were still determined to wait. The French government again declined to act without England.

Pope's defeat at Bull Run August 30, 1862, and Lee's advance into Maryland soon drew the attention of the British ministry again to the subject of recognition, and led to a very interesting correspondence between the prime minister, Lord Palmerston, and Lord Russell. On September 14 the prime minister wrote that the Federals "got a very complete smashing," and if Washington or Baltimore should fall into the hands of the Confederates, he asked whether England and France should not "address the contending parties and recommend an arrangement upon the basis of separation." Russell replied: "I agree with you that the time has come for offering mediation to the United States government with a view to the recognition of the independence of the Confederates. I agree further, that, in case of failure, we ought ourselves to recognize the Southern States as an independent State." Palmerston decided to await the outcome of the Antietam campaign, but that still left matters in doubt and caused further delay.

On October 7 Gladstone, who was chancellor of the Exchequer, made a speech at Newcastle which attracted wide attention. In it he said: "There is no doubt that Jefferson Davis and other leaders of the South have made

an army; they are making, it appears, a navy; and they have made what is more than either — they have made a nation. . . . We may anticipate with certainty the success of the Southern States so far as their separation from the North is concerned." Coming from a prominent member of the cabinet, the natural conclusion drawn from this speech was that the British ministry had decided to recognize the Confederacy. As a matter of fact a cabinet meeting had been called for the special purpose of considering that question, but Gladstone's speech, which was unauthorized, raised such strong protests from members of the cabinet and others influential in public life, that when the cabinet convened no action was taken.

The Emperor Napoleon now proposed to England and Russia that they unite with him in an offer of mediation, but both governments declined. Two months later, after the crushing defeat of the Federal army at Fredericksburg, the French emperor made an offer of mediation through his representative at Washington, but the offer was politely declined by Seward. The battle of Antietam was the turning point in the diplomatic history of the Civil War. Had General Lee been able to maintain himself in Maryland for a few weeks, it seems almost certain that the South would have been recognized by England and France, and recognition would have meant intervention and the raising of the blockade.

For some time President Lincoln had been considering with his cabinet the question of issuing a proclamation of emancipation and turning the war into a crusade against slavery. Taking advantage of General Lee's repulse at Antietam, Lincoln issued the preliminary proclamation September 22, 1862. This announcement produced very little impression in England and called forth a good deal of ridicule from the friends of the South, who characterized it as a bid for the sympathy of the

Gladstone's
indiscreet
speech

Louis
Napoleon
offers
mediation

The pro-
clamation of
emancipa-
tion

laboring classes abroad, but the final measure of January 1, 1863, convinced the world that the North was committed to the cause of abolition.

The workingmen of England, who had suffered untold hardships from the blockade and who in the early stages of the war had felt very little sympathy with the North, were now stirred to the depths and thronged the meetings that were everywhere held for the purpose of endorsing the new policy of Lincoln. These demonstrations strengthened the hands of the members of Parliament and the cabinet who opposed the recognition of the South. During the Gettysburg campaign, the question of recognition was debated at length in the House of Commons, but on July 13, 1863, the mover of the resolution, being convinced that a majority of the House were against it, withdrew it from further consideration. A few days later came the news of the fall of Vicksburg and the defeat of Lee at Gettysburg. There was henceforth little chance of foreign intervention.

In 1862 England allowed the *Alabama*, a cruiser built for the Confederate government near Liverpool, to leave ~~The case of~~ her waters. Charles Francis Adams, the American minister at London, produced overwhelming evidence to show that this ship was destined for the Confederate service, but the British government neglected to take any steps toward detaining it until it was too late. The *Alabama* and other cruisers constructed or purchased in England destroyed vessels and cargoes to the value of many millions and almost drove the commerce of the United States from the seas.

The *Alabama* was a new type of commerce destroyer. The plans of her commander, Captain Raphael Semmes, were thoroughly systematized. He would cruise along one track of commerce for about two months and then, when his movements were attracting attention, he would cruise in a different field. He thus managed to elude pursuers. His

ship was propelled by steam, and also fully provided with sails. Most of his captures were made under sail, as he had difficulty in getting coal. He always managed, however, to keep on hand a sufficient supply to use his engines when in danger of capture. As he could not take his prizes into port, most of them were destroyed after the removal of passengers and crew. He was scrupulously careful of life in these transfers and not a soul was lost. When he could not provide for the safety of those aboard he let the ship go.

At the close of the war the United States demanded of England reparation for the damage inflicted on American commerce by the *Alabama* and other Confederate cruisers. England denied at first all liability in the matter, but finally agreed to submit the question to arbitration and had to pay heavy damages.

In the fall of 1863 Mr. Adams called Lord Russell's attention to two ironclads on the docks at Birkenhead, which were being built under a disguise for the Confederacy. After some delay the British government ordered their detention. These were formidable vessels, and Captain Bulloch, who contracted for their construction, was convinced that they could break the blockade at Charleston and Wilmington. In 1863 Napoleon authorized the building of a Confederate navy in France, provided the destination of the ships could be kept secret. A number of ships were actually in process of construction, but after Gettysburg the emperor became frightened and in the fall of 1863 withdrew his sanction of the scheme. Only one of the vessels, the *Stonewall*, was ever delivered to the Confederates.

Futile efforts
of the Con-
federates to
secure iron-
clads in
England
and France

Until the last year of the war blockade running was carried on quite actively. Boats were specially constructed for this purpose, and a favorite port of rendezvous for the blockade runners was the British port of Nassau in the Bahamas. Goods could be shipped from England to Nassau and there

be transferred to blockade runners, which at night would slip through the Federal squadrons into Charleston, Wilmington,

Blockade running and indirect carriage of contraband or some port in Florida. A great many blockade runners also went out from Havana. At first the United States government hesitated to seize a neutral ship bound for a neutral port and there seemed no way to break up this trade, but finally the Federal navy seized an English ship bound for Nassau with a cargo destined for the Confederacy. She was taken to New York and the case was tried in the United States District Court, which condemned both ship and cargo. On appeal to the Supreme Court of the United States, the ship was released, but the cargo was condemned on the ground that its ultimate destination was the Confederacy.

This decision was based on an application or an extension of the doctrine of *continuous voyage*, which had originally been laid down by the English admiralty courts. The Supreme Court held that it was the destination of the goods rather than of the ship which determined their liability to capture. About the same time another ship bound for Matamoros, Mexico, opposite Brownsville, Texas, was seized and the cargo, which contained contraband articles destined for the Confederates, was also confiscated on the same grounds. These decisions rendered shipment of goods to the Confederates much more difficult. The doctrine thus developed by the United States was further extended by England in the Boer War, and in the great European War which began in 1914 it became an issue of vital importance.

Economic effects of the blockade In order to appreciate the disastrous consequences of the blockade, it should be remembered that the South was an agricultural community. Its wealth was derived from the cultivation of cotton, rice, tobacco, and other staple crops. Its vast mineral resources were not only undeveloped but largely undiscovered.

Agriculture was the main occupation of the people and for manufactured articles of almost every kind, including arms and ammunition, they were dependent upon the outside world. At first the blockade was not effective and supplies were obtained in Europe, but during the second year of the war the export of cotton was almost completely cut off and the importation of European supplies fell off proportionately. The Confederacy was thus thrown back on its own resources. Stupendous efforts were made to manufacture the necessary supplies for the army, but at great expense and with only limited success. The only hope lay in foreign intervention, but England and France managed to get on without American cotton and suffered the blockade to continue.

Next to the recognition of Confederate independence, the most serious danger that threatened the Union from without during the Civil War was the occupation of Mexico by French troops, and the establishment of an empire under Maximilian of Austria.

Foreign intervention
in Mexico

In 1861 England, France, and Spain landed troops in Mexico for the purpose of collecting claims held by their subjects against the government of that country. The three powers had agreed to act together, but before their troops had been long on Mexican soil Great Britain and Spain became convinced that the Emperor Napoleon had ulterior designs, and they withdrew their contingents.

The French troops then took possession of a large part of Mexico, and under their auspices a convention was called, which decided to establish an empire and to invite Prince Maximilian of Austria to accept the crown. Relying on the support of France, Maximilian finally accepted and sailed for Mexico. The French invasion and overthrow of the Mexican Government were in direct violation of the Monroe Doctrine, but the United States had its hands tied and could do nothing but protest.

Maximilian
of Austria
placed by
France on
the throne
of Mexico

Napoleon's Mexican venture undoubtedly furnishes the secret of his friendly feeling for the Confederacy. The success of his scheme was deliberately calculated on the overthrow of the American Union. The Confederates quickly caught at the suggestion of an alliance between Mexico and the South with the power of France to back it, but Napoleon was afraid of the American navy, and did not care to go the whole length of recognizing the Confederacy as an independent power without the coöperation of England. His designs on Mexico, however, made England very cautious about entering into any agreement with him. At each successive step taken by the French to establish their power in Mexico Secretary Seward protested, and after the close of the war his protests assumed the form of a practical ultimatum and Louis Napoleon finally withdrew his troops.

In December, 1864, Judah P. Benjamin, the Confederate secretary of state, informed President Davis that there was no remaining hope of securing foreign aid unless the Confederacy was willing to abandon slavery, and he urged that a commissioner be sent abroad with full powers to negotiate treaties on the basis of emancipation and government seizure of cotton with which to pay for arms and munitions. Davis finally consented to the plan and selected for the delicate mission Duncan F. Kenner, of Louisiana, one of the largest slave-holders in the South and chairman of the ways and means committee of the Confederate Congress. In case the move proved successful, Davis hoped to persuade the Congress to ratify the treaties and carry out their stipulations. After vainly trying to get out through the blockade at Wilmington, Kenner went to New York in disguise and through the aid of a friendly hotel proprietor secured passage for Europe. When he reached London and Paris Sherman's army was already in the Carolinas and Lee was making his last stand before Petersburg. The British and French governments

Last effort
to secure
foreign aid

received the proposal but gave it scant consideration. A few days later came the news of Lee's surrender at Appomattox.

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CHAPTER XXIV

THE OUTCOME OF THE WAR

WHILE the South, as a result of the blockade, was being thrown back on its own resources and was slowly dying of

**Develop-
ment of
Northern
resources** exhaustion and inanition, the North was growing prosperous. Instead of being adversely affected by the war, Northern commerce and manufactures were greatly stimulated. This result was due in part to the fact that the North had already made considerable industrial progress, in part to the wise legislation of Congress, and in part to the advantages derived from foreign commerce, for, although the Confederate cruisers forced Northern commerce to seek shelter under foreign flags, the great volume of trade with other countries was not interrupted.

**Railroad and
land
legislation** In 1862 Congress chartered the Union Pacific Railway and provided for its construction by enormous grants of public lands; it passed the homestead bill which made it possible for actual settlers on the public domain to acquire lands at nominal fees; and it provided for the establishment by the States of colleges of agriculture and the mechanic arts to be supported in part out of the proceeds of the sales of public lands. Few Congresses have passed acts of such far-reaching importance. These and similar measures were designed to strengthen the resources of the country and of the government.

The customs receipts were greatly increased by a high protective tariff, though the primary object of the tariff was to stimulate domestic industries, while internal revenue receipts were enormously increased by taxes on manufactures,

on the gross receipts of railroad, steamboat, and express companies, on various articles of luxury, and on incomes. A stamp tax was laid on bank checks, receipted bills, and on various classes of legal and commercial documents. It was impossible, however, to raise enough money to meet the enormous cost of the war, which soon reached \$1,000,000 a day and finally exceeded \$3,000,000. Bonds bearing interest at a specified rate and redeemable at a specified time were issued in large amounts.

Meeting the
cost of the
war

Nevertheless finances were seriously deranged, gold became very scarce, and Congress found it necessary to authorize the issue of paper money to the amount of \$500,000,000, which it undertook to force into circulation by making it full legal tender. Notwithstanding this latter precaution the notes rapidly depreciated to about half the value of gold, and specie payments had to be suspended. It was fifteen years after the close of the war before the government was in a condition to redeem these notes in gold.

Currency
legislation

In 1863 the national banking system, proposed by Secretary Chase, was established. It not only helped to provide a sound currency secured by the deposit of United States bonds, but it created a permanent demand for these bonds. It took several years, however, to extend the new banking system throughout the country and to get it into full operation, so that it did not afford immediate financial relief; but during the years following the war it was of great assistance in providing a more stable currency and in helping the government to return to specie payments.

The Civil War imposed a terrific strain on constitutional government both North and South. Between the fall of Fort Sumter in April, 1861, and the convening of Congress in July, President Lincoln assumed a temporary military dictatorship. He proclaimed a blockade of the coasts of the Confederacy, thus assuming the constitutional right of Congress

Strain on
constitu-
tional gov-
ernment

to declare war; he called for 42,000 volunteers to serve for three years, and added 22,000 men to the regular army and 18,000 to the navy, without constitutional warrant; furthermore, he authorized General Scott to suspend the writ of habeas corpus at any point on the railroad line between Philadelphia and Washington, and when the Supreme Court gave its opinion that this power was given by the Constitution to Congress and ordered the release of prisoners, he directed the military authorities to ignore the order of the Court.

An act of Congress of August 6 validated all acts, proclamations, and orders of the president relating to military affairs issued since the 4th of March preceding.
Congress backs the president The president continued the practice of suspending the writ of habeas corpus, and the number of arbitrary arrests and imprisonments of inhabitants of Northern States accused of disloyalty grew to large proportions and caused a decided reaction of popular feeling. The election of 1862 shook the power of the Republican party, and Congress finally placed the suspension of the writ on a legal basis, providing for a judicial examination within twenty days after each arrest and the discharge of the prisoner on the failure of the grand jury to indict.

In the South, too, the writ of habeas corpus was suspended, but by act of Congress and under more restrictions than at the North. The powers of government in the South were, however, overtaxed from the first and the executive was given free rein. Civil affairs were soon overshadowed by military, and the Confederate Congress sank into comparative insignificance. Little attention was paid to its debates and few men of ability who were fit for service in the field cared to serve in it. The burden of carrying on the war fell more heavily on the States than at the North. Both Congress and State legislatures issued bonds and paper currency in large amounts, and

this paper rapidly depreciated in value until it became almost worthless.

Congscription was resorted to by the Confederate Congress early in the war. By act of April, 1862, all males between the ages of eighteen and thirty-five were drafted into the army. In September of the same year the age limit was raised to forty-five, and before the end of the war boys of sixteen were included.

In March, 1863, the Congress of the United States passed a Draft Act, providing for conscription by lot. Any drafted person could be exempted from service by hiring a substitute or by paying \$300. The law was very badly administered and it was charged that it was made to fall very heavily upon Democrats. It caused great excitement and dissatisfaction, particularly in some of the eastern cities, and during the "draft riots" in New York, July 13-16, 1863, the week after Gettysburg, a large part of the city was at the mercy of a mob, which burned and plundered houses and lynched a number of negroes. Several regiments had to be called from the army to disperse the rioters.

After Gettysburg and Vicksburg the South was thrown on the defensive. General Lee conducted his army in good order across the Potomac and tendered his resignation, which President Davis declined. Lee and Meade spent the remainder of the summer and fall maneuvering between the Rapidan and the Rappahannock, but no engagements of importance took place. Lee's strength was reduced by sending Longstreet with two divisions to the assistance of Bragg in Tennessee, and Meade thought, apparently, that he was doing enough in protecting Washington. Finally the two armies went into winter quarters on opposite sides of the Rapidan, Lee's headquarters being at Orange Court House, and Meade's near Culpeper.

On March 9, 1864, General Grant received his commission as lieutenant general at the hands of President Lincoln

The South
on the
defensive

in Washington. He remained in the capital no longer than was absolutely necessary, but hurried to the front to take personal command of the army, which was encamped on the north bank of the Rappahannock. This army numbered 99,000 men and 274 guns. North of the Rappahannock was Burnside's corps of 19,000 men and 42 guns. Meade offered his resignation, but Grant desired him to continue at the head of



ROBERT E. LEE. His last photograph, taken in 1869.

Battle of the Wilderness on the 5th and 6th was fought the battle of the Wilderness. The Confederates gained ground on their left and on the right they forced Hancock back into his intrenchments, but in the attempt to carry the intrenchments they were repulsed with heavy loss.

On May 7 Grant began another movement by the left flank, and from the 8th to the 18th there was almost continuous fighting near Spottsylvania Court House. Grant sacrificed men by the thousands, but again failed to break Lee's line. On the night of the 20th he began withdrawing his troops from Lee's

Spottsylvania and Cold Harbor

front and began another flanking movement of a more extended character, which finally resulted in the battle of Cold Harbor, June 3. Here Grant undertook to carry Lee's entire line by assault, but was repulsed with terrible slaughter, exceeding anything ever known in warfare before. He had been baffled at every point and he now withdrew his army across the James, and began his movement to enter Richmond from the direction of Petersburg. In the forty days movement from the Rapidan to the James, he lost 65,000 men, more than Lee had in his entire army at the beginning of the campaign. Lee's losses were only a third as great, but he could ill afford them even at such a terrific cost to his opponent.

Grant now undertook to carry out the same plan which McClellan had proposed two years earlier. Why did not Grant, like McClellan, take his army to the James by water? He had expected in his advance on Richmond the coöperation of General ^{Incompetence of Butler} B. F. Butler, who was in command of the Army of the James, but Butler was utterly incompetent and failed to advance at the right time in accordance with his instructions. Had he advanced on Petersburg before Beauregard's arrival from North Carolina, Grant's terrible sacrifice at Cold Harbor would have been spared. On May 16 Beauregard repulsed Butler at Drewry's Bluff. Butler's incompetency was nothing short of criminal, and Grant asked for his removal, but Halleck, who was still the president's chief military adviser, was afraid to call for Butler's resignation on account of "his talent at political intrigue, and his facilities for newspaper abuse."

In July, 1864, General Jubal A. Early made a sudden march into Maryland and his army succeeded in reaching the outskirts of Washington. The city was thrown into a state of consternation, but the authorities soon saw that it was a mere raid, and

^{Early and Sheridan in the Valley}

it failed to produce the designed effect on Grant's operations. Sheridan was sent to the Valley to hold Early in check, but on October 19 his army was surprised at Cedar Creek during his absence and almost routed. He arrived on the field in time to turn defeat into victory. His cavalry then raided the Valley of Virginia, destroying crops and provisions, and driving all the live stock before them with the object of so devastating that region that it would be impossible for a Confederate army to march through it.

Henceforth operations in Virginia were confined

Trench
fighting
before
Richmond
and Peters-
burg

largely to the
region around
Richmond.

General Lee not only had to defend the Confederate capital, but he had also to hold Petersburg in order to keep up communications with the south. He strongly intrenched his army in a long line, extending east of Richmond and Petersburg, while Grant settled down with deliberation for a protracted siege. Here the two armies spent the winter of 1864-1865. Grant's army with its base on the James was kept well supplied with provisions and equipment, while Lee's army was growing thin and emaciated from slow starvation.

When Grant was called East, Sherman was left in command in the West, with instructions to advance against Atlanta, while Joseph E. Johnston succeeded Bragg and undertook



GENERAL PHILIP H. SHERIDAN.

the difficult task of holding Sherman in check. The latter began his advance from Chattanooga early in May, 1864, with 99,000 men. Johnston was at this time ^{The fight for Atlanta} intrenched at Dalton in northern Georgia with an army numbering about 53,000. Sherman turned Johnston's position, and the latter had to fall back. As the Federal army continued to advance, Johnston fell back along the line of the railway from Chattanooga to Atlanta, contesting every inch of ground and tearing up the tracks and destroying the bridges as he proceeded, but Sherman's engineers repaired the bridges and tracks almost as rapidly as his army advanced.

As Sherman's army greatly outnumbered the Confederate, he proceeded by a series of flanking movements. Johnston fell back from one intrenched position to another, but as the Federal commander had enough troops to outflank him, he had to continue falling back. Finally Johnston took up a strongly fortified position at Kenesaw Mountain, twenty-five miles from Atlanta. This position was assaulted by Sherman, but he was repulsed with heavy loss. Sherman then made another flank movement and the Confederates fell back on Atlanta. Johnston's policy had caused great dissatisfaction at the South, and on July 17 he was replaced by General John B. Hood.

As Hood was expected to fight, he did not long delay engaging the enemy, and during the latter part of July a series of fights occurred around Atlanta in which ^{Fall of Atlanta} the losses on both sides were heavy. Hood managed to hold Sherman's greatly superior force in check for over a month, but on September 2, 1864, he finally evacuated Atlanta, and the next day Sherman's troops entered. The capture of Atlanta caused great rejoicing at the North, for it was the first important military success of the year. In August Farragut had won the battle of Mobile Bay, destroying the Confederate fleet and reducing

the fort. The last Confederate port on the Gulf was thus closed.

After the fall of Atlanta, Hood began a series of attacks on Sherman's communications which drew the latter north ^{Sherman's} in pursuit. Hood withdrew westward into ^{march to the} northern Alabama. When Sherman became ^{sea} convinced that his adversary was not willing to risk a general engagement, he sent Thomas north to hold Tennessee, while he returned to Atlanta. In a speech at Macon

about this time Jefferson Davis compared Sherman's position to that of Napoleon in Russia, and predicted that when he began his retreat his army would be harassed and destroyed. But Sherman had no intention of retreating. On the contrary, he was planning a movement which took the Confederates completely by surprise, and which caused the authorities at Washington great anxiety. He proposed to cut loose from his base, abandon his line of communications, and march through the fertile fields



GENERAL WILLIAM T. SHERMAN.

of Georgia, the very heart of the Confederacy, to the sea. It was with great difficulty that he persuaded Lincoln and Grant to consent to his plan.

"I propose," Sherman wrote to Thomas, "to demonstrate the vulnerability of the South and make its inhabitants feel

that war and individual ruin are synonymous terms." About the middle of November he started from Atlanta on his march to Savannah with an army of 62,000 finely equipped soldiers. His last message to Grant was: "I will not attempt to send couriers back, but trust to the Richmond papers to keep you well advised." Meanwhile Hood had invaded Tennessee with the confident expectation that he would draw Sherman after him. The opposing armies were thus marching in opposite directions, and Sherman's march was unimpeded, Hardee's infantry and Wheeler's cavalry, the only Confederate forces encountered, not being strong enough to seriously harass him.

Sherman's
ruthless
policy

True to his intentions, Sherman systematically devastated the country through which he passed. Writing from Savannah he says: "We have consumed the corn and fodder in the region of country thirty miles on either side of a line from Atlanta to Savannah as also the sweet potatoes, cattle, hogs, sheep, and poultry, and have carried away more than 10,000 horses and mules as well as a countless number of their slaves. I estimate the damage done to the State of Georgia and its military resources at \$100,000,000; at least \$20,000,000 of which has inured to our advantage and the remainder is simple waste and destruction."

Sherman's success had an important effect on the presidential campaign then in progress. At the outbreak of hostilities the great majority of Democrats at the North supported the administration, and many of the War Democrats, as they were called, became merged in the Republican party. Those who opposed Lincoln's measures were denounced as "Southern Sympathizers," and the more extreme ones were dubbed "Copperheads." The suspension of the writ of habeas corpus and the large number of arbitrary arrests drove many sincere Union men into the opposition, and in the

The presi-
dential
campaign
of 1864

elections of 1862 the Republicans met with many reverses, even losing the great State of New York.

As the time for holding the nominating conventions drew near there was considerable doubt as to whether Lincoln could be re-elected, and his friends and supporters decided to appeal to all Union men irrespective of party to support him. Lincoln made no effort to conceal his candidacy and happily summed up the situation by saying that it was dangerous "to swap horses while crossing a stream." In the call for a convention the term Republican was carefully avoided and the assembly which met in Baltimore on June 7 and nominated Lincoln for a second term was known officially as the National Union Convention. Having placed a Republican at the head of the ticket, the convention chose a Union Democrat, Andrew Johnson of Tennessee, as its candidate for vice-president. A week earlier a convention of radical Republicans in session at Cleveland, Ohio, had nominated John C. Frémont for the presidency.

The Democrats met in convention in Chicago in August and nominated as their candidate General George B. McClellan

McClellan opposes Lincoln lan on a platform which declared the war to have been "four years of failure" and urged the cessation of hostilities and a restoration of the Union through a convention of the States or other peaceable means. In accepting the nomination General McClellan denied that the war had been a failure and declared that there could be no peace until "our present adversaries are ready for peace on the basis of the Union." The capture of Mobile by Farragut in August and of Atlanta in September by Sherman showed conclusively that the war had not been a failure and left no doubt as to the outcome of the presidential campaign. Frémont withdrew and Lincoln carried every state that participated in the election with the exception of Delaware, New Jersey, and Kentucky.

When Hood entered Tennessee from northern Alabama, he was opposed by General Schofield, who had instructions from Thomas to hold the Confederates in check until the Federal army could be concentrated at Nashville. As Schofield was outnumbered, he had to retire before Hood, who overtook him and forced a fight at Franklin on November 30. The Federal force held its position until after nightfall, when it withdrew across the river and united with Thomas at Nashville. The Confederates claimed the victory, but their losses were out of all proportion to those of the Federals.

Last important operations in the West

Hood with 26,000 men now settled down before Nashville and intrenched himself and waited for Thomas to take the initiative. Although the latter had 48,000 men, he delayed making an attack until Grant grew very impatient and threatened to remove him. Finally, after completing all the preparations prompted by his cautious nature, he began the attack December 15, and on the following day completely shattered Hood's army. The Chattanooga-Atlanta campaign with its sequels, the march to the sea and Thomas's defeat of Hood, was the most decisive of the war. It cut the Confederacy in twain.

From Savannah Sherman set out February 1, 1865, and on the 17th his army entered Columbia, the capital of South Carolina. The greater part of this city was destroyed by fire. On the 18th a detachment of Sherman's army occupied Charleston, and on the 21st another detachment captured Wilmington, North Carolina. The feeling in the Northern army against South Carolina was especially bitter, and the course of the army through that State was marked by burning houses and the general destruction of property. Sherman's army reached Goldsboro, North Carolina, March 23, 1865. Meanwhile Joseph E. Johnston had been placed in command of the remnant of Hood's army, and with what other troops

Sherman's march through the Carolinas

he could collect he undertook to check Sherman's advance. Lee's army was the only other Confederate force of any size left in the field, and that was now making its last stand in Virginia.

Sherman's rapid advance through South Carolina and North Carolina, in February, 1865, had the effect of arousing

The surrend-
Lee at
Appomattox Grant to action. Had Sherman continued his advance to Richmond he would have got all the credit for ending the war. Finally, on April 2, Petersburg fell, and Lee had to abandon Richmond, which the Federal troops entered on the 3d. Lee



VALENTINE'S RECUMBENT STATUE OVER THE TOMB OF LEE, in the chapel of Washington and Lee University at Lexington, Virginia.

had hoped to unite with Johnston's army in North Carolina, but the movement in this direction was checked by Sheridan's cavalry at Five Forks. On the 9th Lee and Grant held a conference at Appomattox and Lee surrendered all the forces under his command. Lee was never greater than in defeat. He might have withdrawn his army to the mountains of southwest Virginia, as many of the Southern leaders

advised, and have prolonged the war indefinitely, but he realized that this would mean the introduction of a guerrilla warfare, which would result in the plunder and devastation of the South. As soon as it was evident that his army could no longer meet the enemy in the open field, he assumed the responsibility of ending the war at once and surrendered. Grant was as great in victory as Lee was in defeat. He released both men and officers on parole and permitted them to keep their horses, "because they would need them for the spring plowing and farm work."

On April 26 General Johnston surrendered his army to Sherman near Durham, North Carolina, and the few remaining Confederate forces soon disbanded or surrendered. Early in May Jefferson Davis was captured in Georgia and sent to Fortress Monroe, where he was kept in close confinement for two years under indictment for treason. He was then released on bail, but the case was never brought to trial.

Capture and
imprison-
ment of
Davis

In the midst of the rejoicing at the North that followed Lee's surrender occurred the tragedy of Lincoln's assassination. On the evening of April 14, five days after Lincoln's death Appomattox, the president was shot in Ford's Theater in Washington by John Wilkes Booth, an actor whose mind seems to have been unbalanced. The South had nothing to gain by such an act, and coming as it did at this particular time, nothing could have been a greater calamity.

The armies of the United States and of the Confederacy were both made up of citizen soldiers, and probably no armies in the history of warfare ever displayed greater Severities forbearance and self-restraint in dealing with non-combatants, or more chivalry in their relations with each other. The most marked exceptions to this were Butler's conduct at New Orleans, Sherman's march through Georgia and the Carolinas, and the raids of Hunter

and Sheridan in the Valley of Virginia. As regards the treatment of prisoners, each side has charged the other with cruelty and neglect. The Southern military prisons have been pictured as pens of filth, disease, and starvation. As a matter of fact, a careful study of the mortality statistics shows that there was little difference in the treatment of prisoners North and South. When we consider the fact that the North refused to exchange prisoners, and thus forced the Confederates to keep in confinement more men than they could properly take care of, and when we consider the further fact that the Northern soldiers were well supplied with provisions, while the Southerners during the latter part of the war were always on short rations, there is, as James Ford Rhodes says, no reason why the North should reproach the South.

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CHAPTER XXV

RECONSTRUCTION OF THE SOUTHERN STATES

WITH the gradual collapse of the Confederacy there arose the question as to the status of the States which had seceded and were now occupied by Federal troops. How were their governments to be reconstructed and what was to be the status of their inhabitants, black and white? President Lincoln's plan of reconstruction was outlined in his Proclamation of December 8, 1863. It authorized the reestablishment of State governments in the South whenever voters qualified under the suffrage provisions of 1860, to the number of one tenth of those who voted in the presidential election of that year, should take the oath of allegiance to the United States and agree to abide by the acts of Congress and the proclamations of the president concerning slavery. Arkansas had been reorganized on this principle prior to the proclamation, and Louisiana and Tennessee were reorganized in the same way by President Lincoln after the proclamation. Andrew Johnson, as military governor of Tennessee, carried out the work in that State. These States were reorganized on the basis of white suffrage. Lincoln had no intention of conferring the franchise on the negro as a class, though he did hope to see it conferred by the States on a few of the more intelligent.

Johnson's policy was substantially the same as Lincoln's. He still stuck to the ten per cent basis. He was not as liberal as Lincoln in his proclamation of amnesty. Johnson's policy opposed by the radicals He confined the suffrage to white men, and like Lincoln, while he favored a qualified suffrage for negroes, he regarded that as a matter for the States to settle. It should be remembered that at this

time all the Northern States but six denied the negro the ballot.

Johnson was criticized for not convening Congress in extra session, but there is no record that any member of the cabinet advised such a step. In April Sumner hoped that it would not be done. He thought then that Johnson would confer the suffrage on the negro by executive decree. When he found that he could not persuade the president to take this step, Sumner changed his opinion about Congress. In August he wrote: "Refer the whole question of reconstruction to Congress, where it belongs. What right has the president to reorganize States?" Other radical Republican leaders now began to take issue with the president. Thaddeus Stevens wrote to Sumner: "Is there no way to arrest the insane course of the president in reorganization?"

Still the work of reconstruction went on and *The Nation* said that the president's policy had "the miraculous property of appearing to satisfy all parts and parties of the country," and called it another "era of good feeling." The Southern States held constitutional conventions in accordance with the president's instructions, declared the ordinances of secession null and void, repudiated the war debt, and ratified the Thirteenth Amendment, abolishing slavery. These were the conditions of reconstruction imposed by the president.

The Southern States comply with conditions imposed by the president

By the opening of Congress, December 4, 1865, the work had been practically completed, and representatives and senators from most of the Southern States were present with their credentials. On December 8, 1865, the secretary of state issued his proclamation declaring that the Thirteenth Amendment was in force, having been ratified by twenty-seven of the thirty-six States. Among the ratifying States he named eight that had seceded.

The radicals in Congress, however, had no intention of

readmitting the Southern States on the terms offered by the president. A peculiar feature of the situation was that as

Congress takes a hand in reconstruction a result of the abolition of slavery the representation of the Southern States in Congress would be greatly increased. Prior to the war only three fifths of the slaves were counted as population in apportioning representatives; now that slavery was abolished the entire negro population would be counted. If white men continued in control in the South there was little chance that the Republican party could long continue in control of the national government. In the minds of the radical leaders the only hope lay in undoing what Lincoln and Johnson had done and in reorganizing the South on the basis of negro suffrage.

The first step was to refuse to seat the representatives and senators from the Southern States. In this matter the president could not interfere. In making up the preliminary list of the House, therefore, the clerk was instructed by the Republican caucus to omit the names of representatives from the Southern States, and Thaddeus Stevens offered a resolution that a joint committee of nine from the House and six from the Senate be appointed to inquire into the condition of the former Confederate States and report "whether they or any of them are entitled to be represented in either House of Congress." This resolution was adopted by a large majority without waiting to hear the president's message, and a week later it passed the Senate.

Conditions in the South The president's message, which was read December 5, was an able state paper written in admirable tone probably by George Bancroft, the historian. It reviewed at length the course of the administration with reference to the Southern States. On December 18 the president announced in a special message to Congress that the "Rebellion" had been suppressed; that in all the insurrectionary States, except Florida and Texas, the people

had reorganized their governments, and that in those two States satisfactory progress was being made. He also submitted to Congress reports from General Grant and Carl Schurz on conditions in the South. Grant declared, as a result of his observations on an extended tour, that there was no further thought of resistance in the minds of the Southern people, that they had accepted the results of the war and were anxious to resume as speedily as possible their accustomed occupations.

Schurz's report, likewise based on extended personal observations, set forth very different views. He said that the people of the Southern States had not accepted in good faith the results of the war, that they had no sense of loyalty to the government of the United States, and that they were not yet ready to be restored to the control of public affairs. Unfortunately indiscreet measures adopted by the reorganized Southern legislatures between October, 1865, and March, 1866, gave color to Schurz's views. These measures were the so-called "Black Codes," intended to define the legal status of the freedmen, to regulate conditions of labor, and to check the disorder and vagrancy which were already making such alarming progress among the negro population suddenly freed from white control and unaccustomed to the exercise of self-restraint. These laws were not very different from those in force in Jamaica and other places where there was a large negro population, but the North did not understand the necessities of the situation and considered them an outrageous infringement of personal liberty.

On February 19 Johnson vetoed the Freedmen's Bureau bill, which enlarged the powers of the Bureau established by act of March 3, 1865, for the purpose of protecting and aiding the newly liberated slaves. The necessary two thirds to pass it could not be obtained in the Senate, so the bill failed. On February 22 the president, who was suddenly called upon

The breach
between the
president
and
Congress

to address a large gathering that had collected at the White House, made a very unfortunate speech, in which he severely criticized the radical members of Congress. This speech made a bad impression on the country, and it tended to widen the breach between the president and the radical leaders.

Along with the Freedmen's Bureau bill, Trumbull had reported from the judiciary committee the Civil Rights bill. This bill, its authors claimed, simply made effective the provisions of the Thirteenth Amendment, but there was considerable doubt of its constitutionality. It passed the Senate February 2, 1866, by a vote of 33 to 12, and after considerable discussion, it finally passed the House March 13, by a vote of 111 to 38. Stevens made a violent attack on the president in the House, taking as his text the 22d of February speech, which he caused to be read for the purpose, apparently, of goading him into vetoing the bill.

In a message to the Senate the president stated his objections to the bill at length, the main one being that it conferred citizenship on the negro when eleven of the thirty-six States were unrepresented, and attempted to fix by Federal law "a perfect equality of the white and black races in every State of the Union." He considered it unconstitutional and an invasion of the rights of the States. The Senate passed the Bill over his veto on April 6, by a vote of 33 to 15. Three days later the House passed it by a vote of 122 to 41. This was the most important measure that had ever been passed by Congress over the veto of a president.

In view of the doubt as to the constitutionality of the Civil Rights bill, its main provisions were embodied in the **The Fourteenth Amendment**, which was proposed in the House by Stevens. In June Congress decided to submit it to the States, and its ratification by the Southern States was made a further condition of their readmission. The amendment did not directly impose

negro suffrage on the States, but it aimed to accomplish that purpose indirectly by the second section, whereby the representation of a State in the House was to be cut down in proportion to the number of male citizens over twenty-one years of age who were deprived of the right to vote.

The first section, which was of even more far-reaching importance, declared: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." The original Constitution undertook to protect individuals against the encroachments of the central government; the Fourteenth Amendment undertook to protect life, liberty, and property against State interference. It had the effect of placing not only individuals, but corporations, under the protection of the Federal Courts and involved the most radical changes ever made in the American constitutional system.

During the congressional campaign in the summer and fall of 1866, the president made a tour through the Middle West which was popularly referred to as "swing-*"Swinging the circle."*" On this tour he addressed large bodies of citizens who were frequently disorderly and ill-mannered, and amid frequent interruptions he denounced in severe terms the leaders of the radical Republicans. This tour lined up most of the Republicans against Johnson, and the Republican majorities in the election of members of Congress were larger than those given to Lincoln two years before. In the new Congress there were in the Senate forty-two Republicans and eleven Democrats, and in the House one hundred and forty-three Republicans and forty-

nine Democrats, a working majority of considerably over two thirds. The Republicans could now carry out any reconstruction policy which they chose, notwithstanding the opposition of the president.

The radical members of Congress were quick to catch the drift of public sentiment. On December 10, Blaine, **Negro suffrage** who had not hitherto been regarded as an ex-tremist, declared in the House that the people had now demanded at the polls an additional condition of reconstruction; namely, the bestowal of the suffrage on the negro. Meanwhile, Texas in October and Georgia in November, 1866, had refused to ratify the Fourteenth Amendment. In December the Amendment was rejected by Florida, Alabama, North Carolina, and Arkansas, and in January, 1867, by South Carolina and Virginia. Alabama and Virginia came very near ratifying it, and would probably have done so but for the influence of President Johnson.

The opinion is expressed by some historians that if the Southern States had ratified the Fourteenth Amendment, the more conservative Republicans would have remained in control and been able to carry out the plan already agreed on in the case of Tennessee, but the temper of Congress after the election of 1866 was distinctly radical. It was not the rejection of the Fourteenth Amendment, but the big Republican majorities of November, 1866, that decided the fate of the Southern States. Early in the session Congress extended the suffrage in the District of Columbia to the negro. This was a forewarning of what was coming.

The constitutional status of the Southern States was a question upon which neither lawyers nor political philosophers had been able to formulate a consistent theory. According to the Southern theory the **The constitutional status of the Southern States** States that had attempted secession were still States, all the essentials of statehood remaining unchanged. This was the theory on which Sherman

acted when in granting terms of surrender to Johnston he had agreed that the existing State governments should be recognized. This agreement was repudiated by the administration, and the State governments were overthrown by the military commanders. The presidential theory, which has already been set forth, was, in brief, that the Southern States had never ceased to be members of the Union; that their governments had temporarily fallen into the hands of disloyal persons; and that just as soon as loyal governments were re-established in these States they could resume their functions as members of the Union.

Charles Sumner advanced the theory of State suicide, which was that the Confederate States had through treason forfeited their rights as States and relapsed into ^{Views of} the status of territories, subject like the other ^{Sumner and Stevens} territories to the exclusive jurisdiction of Congress. The view advanced by Stevens was even more radical. He agreed with Sumner as to the effect upon the States of their own disloyal acts, but denied that they possessed even the attributes of territories under the Constitution. He claimed that they were conquered provinces subject to the arbitrary will of Congress and he denied to their inhabitants even the rights enjoyed under the Constitution by citizens of the territories.

Other members of Congress held a view which, while less consistent theoretically, was more practical as a working basis. It was that the people in each seceding State had committed a political crime against the nation and forfeited for the time being their political rights; that the constitutional clause guaranteeing to each State a republican form of government makes Congress, and not the president, the final arbiter as to the political status of a State, and that therefore Congress should direct the work of reconstruction and decide when and on what conditions the States should be readmitted. Sumner and Stevens held that the States

which had seceded no longer existed. The forfeited rights theory held that their territory remained intact, but that their political rights were for the time being in abeyance.

In December, 1866, the Supreme Court handed down an important decision in the Milligan case. The Court

held by a division of five to four that neither the president nor Congress had the power to authorize the trial of citizens by a military tribunal, where the civil courts were open and in the unobstructed exercise of their jurisdiction. Stevens denounced this as almost as infamous as the Dred Scott decision. The radical leaders of Congress did not propose to be thwarted by the Supreme Court, and as a threat introduced a bill into the House re-

quiring a unanimous decision of the Court in cases involving the constitutionality of an act of Congress. This reso-

Attitude of the Supreme Court lution was never brought to a vote. Although Chief Justice Chase had been one of the radical antislavery leaders, he now took a conservative view of the constitutional relations of the States and the Union, and by his decisions tried to prevent any revolutionary changes from taking place as a result of the Civil War.

On January 3, 1867, Stevens called up a bill which he had



THADDEUS STEVENS.

introduced to provide for State governments on the basis of negro suffrage and white disfranchisement. After further consideration by the Committee on Reconstruction, the bill was finally reported to the House ^{Radical reconstruction} on February 6. It set aside the reorganized State governments in the late Confederate States, with the exception of Tennessee, and divided them into five military districts, over each of which the general of the army was to place a military commander. The bill passed the House February 13, by a vote of 109 to 55. Meanwhile, Senator Williams of Oregon had introduced the same bill in the Senate. On February 17 it passed that body, with an amendment to the effect that military governments should terminate when the late Confederate States should adopt universal suffrage, conferring the vote on the negro. It also provided that the military governors should be appointed by the president, instead of by the general of the army. It was considered beyond the powers of Congress to deprive the president of his position as commander-in-chief of the army. As the session was drawing to a close, the bill was pushed by the radicals in the conference committee and finally agreed upon, with an amendment excluding from the suffrage and from office those persons who were excluded by the Fourteenth Amendment. On March 2 the president vetoed the Bill, but on the same day it was passed over his veto. Thus two years after the war was over the work of restoration carried on by Lincoln and Johnson was undone and the South thrown back under military rule. The act of March 2 was later supplemented by the acts of March 23 and July 19.

In addition to the Reconstruction Act the same Congress passed the Tenure-of-Office Act, likewise over the president's veto. This act took away from the president ^{Tenure-of-} the power of removing without the consent of ^{office} ^{Act} the Senate any officeholder confirmed by that body. The object of the act was to insure the execution of the recon-

struction measures by making the members of the cabinet and other civil officeholders independent of the president. Stanton, the secretary of war, was in full accord with the radical element in Congress and in direct opposition to the president. As the Southern States were now being governed through the War Department, the position of secretary of war was one of first importance, and the president naturally wanted that office filled by some one in whom he had full confidence. He finally decided therefore to call for Stanton's resignation, and on August 5, 1867, sent him the following note: "Public considerations of a high character constrain me to say that your resignation as Secretary of War will be accepted." Stanton promptly replied: "Public considerations of a high character, which alone have induced me to stay at the head of this Department, constrain me not to resign the office of Secretary of War before the next meeting of Congress."

The president was now left the alternative of backing down from his position, or of removing Stanton from office. **Suspension of Stanton** Grant advised him not to remove Stanton, but he was determined to do so, and in this determination he had the backing of several members of his cabinet. He realized the necessity of appointing in Stanton's place, ad interim, some one in whom the country had the fullest confidence, so he prevailed on General Grant to take the office.

On August 12 the president notified Stanton that he was suspended, and directed him to transfer the office and records to General Grant. Stanton replied that the president had no right to suspend him from office, but that he had "no alternative but to submit, under protest, to superior force." A few days later General Sheridan was removed from the post of commander of the District of Louisiana and Texas for insubordination in publicly criticizing the president of the United States. About the same time General Sickles was removed from the command of the district comprising

North and South Carolina. It was charged by the radicals that these removals were made by the president in order that he might obstruct the carrying out of the will of Congress as embodied in the reconstruction acts.

So many men were disfranchised or excluded by the iron-clad oath required of officeholders and voters that the military commanders found some difficulty in obtaining boards of registration, and had to appoint agents of the Freedmen's Bureau, military officers, ex-union soldiers who had settled in the South, and a few negroes. "Ignorance was thus disfranchised and intelligence disfranchised." Northerners who came South for the purpose of obtaining office under the reconstruction régime became generally known as "carpet-baggers," while the meaner sort of whites who accepted office were known as "scalawags." By disfranchising the whites and conferring the suffrage on the negro the radical leaders hoped to make the South Republican and to insure the continuance of their party in power.

Meanwhile, the Supreme Court was utterly helpless to stay the hands of the radicals. It was known that five of the nine justices considered the reconstruction acts unconstitutional, and Mississippi and Georgia tried to get the question before the Court by enjoining the president, secretary of war, and other officials from enforcing the acts, but the Court decided that it had no right to restrain the executive branch of the government in this way. About the same time Colonel McCardle, a Vicksburg editor, who had been arrested and imprisoned by General Ord, appealed his case to the Supreme Court, but Congress quickly passed a bill depriving the Court of jurisdiction in such cases, and the Court concluded that it was safest to acquiesce. The Supreme Court was thus completely subdued, and the only thing standing in the way of the radical program was the president.

"Carpet-baggers" and "scalawags"

Supreme Court helpless

For a year the question of impeaching the president had been under consideration. On December 12, 1867, he sent

Breach between the president and General Grant

to the Senate a message giving his reasons for suspending Stanton. On January 13, 1868, by a vote of 35 to 6, the Senate refused to concur in the suspension. The next day General Grant surrendered the War Department to Stanton.

This act caused a complete breach between the president and the general commanding the army. The president declared that General Grant had given his solemn pledge that in case the Senate should refuse to concur in the suspension of Stanton, he would not surrender the War Department without a conference with him. The president charged Grant to his face with bad faith, and Grant was unable to give a satisfactory explanation of his conduct. The president now determined to ignore altogether the Tenure-of-Office Act. On February 21 he issued orders removing Stanton and appointing General Lorenzo Thomas secretary of war ad interim. Stanton refused to surrender the office and had Thomas arrested.

On February 24 the House resolved, by a vote of 126 to 47, to impeach the president, and on the following day a

The House resolves to impeach the president

committee appeared before the bar of the Senate to formally notify that body of its action. Stanton's arrest of Thomas had been made on the charge of violating the Tenure-of-Office Act.

The president and the attorney-general now tried to get this case before the Supreme Court, but the Republican leaders, knowing the attitude of the Court and that a decision against the constitutionality of the act would remove the ground for impeachment, advised Stanton to release Thomas, and thus prevented the case from coming before the Court. Stanton, meanwhile, was barricaded in his office and remained there day and night for several weeks with armed men in the basement ready to defend him in case the president should order Thomas to take forcible possession.

The chief article in the impeachment was the charge that Johnson had violated the Tenure-of-Office Act. On March 5 Chief Justice Chase took the chair in the Senate Chamber, and the formal proceedings began. The president was represented by an array of able counsel, while the prosecution was conducted by Stevens, Butler, Logan, and other members of the House who were conspicuous for partisanship as well as for ability. Elaborate arguments were made on each side. Finally, on Saturday, May 16, the vote was taken on the Eleventh Article, which was considered the strongest, as it covered the violation of the Tenure-of-Office Act. The vote stood 35 for conviction and 19 against. It was evident that the impeachment had failed, although there was lacking only one vote of the necessary two thirds. The court then adjourned until May 26.

Impeach-
ment pro-
ceedings



ANDREW JOHNSON.

The radicals were wild with rage. Seven Republicans voted "not guilty," and it was thought by some that the vote was a "frame up," that is, that the Senate wanted to humiliate the president as much as possible, but did not care to assume the responsibility of removing him. The fact that Wade, the president pro tempore of the Senate, who was distrusted by some of his colleagues, would succeed to the presidency doubtless had some weight in determining the vote. During the interval between the adjournment on May 16 and the resumption of the impeachment proceedings on the 26th, the Republican National Convention met at Chicago and nominated General Grant for the presidency. On the 26th

The presi-
dent ac-
quitted but
humiliated

the vote was taken in the Senate on the other articles of impeachment, but remained 35 to 19. The Senate, as a court, then adjourned *sine die*. Stanton immediately relinquished his position in the War Department and General Schofield was appointed and confirmed as secretary of war.

No president of the United States has fared so badly at the hands of historians as Andrew Johnson. Only in recent years with the publication of the Diary of Gideon Welles and the acquisition of Johnson's papers by the Library of Congress has the verdict of his contemporaries been set aside. Few men have risen to such high station from such humble beginnings. Sprung from the class of "poor whites" in East Tennessee and a tailor by trade, he never had a chance to learn to read and write until taught by his wife after their marriage. His strong intellect, positive convictions, and ready speech, crude but forceful, enabled him to forge his way to the front, but to the last his character was marred by marks of the hard conditions of his youth. At several of the critical moments of his public career he gave way to unseemly outbursts of passion and once or twice to his fondness for strong drink, though his excesses in this matter were greatly exaggerated. He was placed on the ticket with Lincoln as a Union Democrat and, succeeding to the presidency at a most critical period, he had to deal with a Congress which was strongly and radically Republican. He was despised by the South because he had the poor white's jealousy of the Southern aristocrat and wanted to make treason odious by hanging Jefferson Davis and other leaders of the Confederacy, and he was distrusted by the North because he had the poor white's contempt for the negro and wanted to deny him civil and political equality. Yet no one who makes an impartial study of his career can deny to him the two great virtues of patriotism and moral courage.

Character of
Andrew
Johnson

On May 20, 1868, the National Union Republican Convention met in Chicago. Grant had been a Democrat before the war and there had been some doubt as to his position until his break with President Johnson. As soon as it became known that he would accept the Republican nomination there was no serious thought of any one else. He was nominated with great enthusiasm, and Schuyler Colfax of Indiana, speaker of the House, was named for vice-president.

Nomination
and election
of Grant

The Democratic Convention met in New York July 4. George H. Pendleton's "Ohio idea," which was to redeem the bonds in greenbacks instead of coin, was popular in the West, and he led on the earlier ballots. General Hancock and Senator Hendricks then developed unexpected strength, but neither could secure the necessary two-thirds vote. Finally after twenty-one ballots had been cast the name of Horatio Seymour of New York, who was presiding over the convention, was put in nomination and unanimously indorsed.

Grant received 214 electoral votes and Seymour 80, but three of the Southern States were not allowed to participate and six of those which had recently been reconstructed gave their votes to Grant. Seymour carried New York, New Jersey, and Oregon, and most of the border States, and had he carried the solid South he would have been elected. The power of the Republican party was thus seriously threatened and its leaders became more determined than ever to hold the South through the negro vote.

By June, 1868, all of the Southern States except Virginia, Mississippi, and Texas had ratified the Fourteenth Amendment and been readmitted to representation in Congress. It was soon evident that the second section of that amendment would not assure the vote to the negro, for the Southern States would prefer to have their representation in Congress reduced rather than

The
Fifteenth
Amendment

submit to negro rule. The Fifteenth Amendment was, therefore, proposed, declaring that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." The ratification of this amendment was made a further condition of readmission in the case of Virginia, Mississippi, and Texas, and later in the case of Georgia also, for that State was again thrown back under military rule. In 1870 this amendment was declared in force and the remaining States were readmitted.

Public affairs at the South were now dominated by carpet-baggers and sealawags through the manipulation of the **The South under negro rule** negro vote. The agents of the Freedmen's Bureau played a leading part in organizing the negroes against their late masters through means of the Union League and its secret ritual. The reconstruction conventions and legislatures contained numbers of negroes and the extravagance of the governments knew no bounds. The public debts of several States increased at an alarming rate without any corresponding benefit to the people. Vast sums were spent in the purchase of mahogany desks, costly carpets, and other furnishings for legislative halls and the offices of public officials. In the capitol at Columbia, South Carolina, the legislature maintained a free restaurant where its "black and tan" members could satisfy their desires for meat or drink at any hour free of charge.

In order to check outrages and to punish insolent negroes or carpet-baggers a secret organization known as the **The Ku-Klux Klan** Klux Klan was organized in Tennessee in 1867 and within two years spread over the entire South. With masks and white coverings for horse and rider its members dashed along the country roads at night or through the streets of villages terrorizing the negro and

keeping him from attending the secret meetings of the Union League. At first the Klan played mainly upon the superstitions of the negro, but it did not hesitate to visit serious offenses with prompt punishment even to the point of taking life. The rule of this "invisible empire" naturally led to excesses and after a congressional investigation in 1871 an act was passed empowering the president to use the army in suppressing the Klan. It had, however, put a damper on the political aspirations of the negro and done much to reestablish white supremacy in the South.

When General Grant became president he had had no experience whatever in civil administration. He was unfortunate in the selection of advisers and in his appointees to important offices. In addition to this, there were thousands of men who had helped to save the Union who were clamoring for public office or government patronage. The result was that Grant's administration was one of the most corrupt in the history of the government. In 1869 James Fisk and Jay Gould, two of the most unscrupulous stock speculators in Wall Street, planned a deliberate scheme to secure a corner in gold, and through indirect influence they succeeded in getting Grant to instruct the secretary of the treasury to sell no more gold, as he had been doing from time to time in order to keep the price from soaring too high. Their plan came very near succeeding, and Friday, September 24, 1869, has ever been known as "Black Friday" in Wall Street. The plot was revealed to Grant in time to prevent the complete success of the scheme, but not until a number of banking firms had failed and others had suffered severely.

As early as 1870 the opposition to Grant within his party led to the organization of a Liberal Republican movement. When it became evident that he would be renominated, the Liberal Republicans decided to place a candidate in the field. They held a

Grant's first administration

Liberal
Republican
movement

National Convention at Chicago in May, 1872, and nominated Horace Greeley of New York for president, and B. Gratz Brown of Missouri for vice-president. Among other things, the new party demanded "the immediate and absolute removal of all disability imposed on account of the rebellion which was finally subdued seven years ago, believing that universal amnesty will result in complete pacification in all sections of the country."

The Democratic Convention met in Baltimore in July and decided to indorse Greeley, and to adopt the platform of the Liberal Republicans.

The Republican Convention had meanwhile met in Philadelphia and nominated Grant by acclamation. Some of the Democrats who were not willing to indorse Greeley held a separate conven-

tion and nominated Charles O'Connor of New York. The Labor party and the Prohibitionists also put candidates in the field. In the election Grant received 3,597,070 votes, Greeley 2,834,079, and O'Connor 29,408 votes. Greeley had carried only six States, Georgia, Kentucky, Maryland, Missouri, Tennessee, and Texas. He was heartbroken at the result and died a few weeks after the election. Grant received 286 electoral votes out of a total of 366. There being double returns from Louisiana



HORACE GREELEY.

and Arkansas, the votes of those States were thrown out by Congress.

Grant's second administration was marred by greater corruption and scandal than his first. In order to build the Union Pacific Railroad, there had been organized a construction company known as the ^{An era of} ~~corruption~~ Credit Mobilier. The directors of this company undertook to defraud the stockholders, and in order to prevent a congressional investigation they distributed large amounts of the stock to members of Congress at about half its market value. A great many of the most prominent men in public life were implicated to a greater or less degree.

On March 3, 1873, Congress passed the so-called "Salary Grab" Act increasing the salaries of the president, vice-president, and Supreme Court justices, as well as raising the salaries of members of Congress from \$5000 to \$7500 a year. The worst feature of the act was that it was to be retroactive and to date from the beginning of the Congress which was just closing. This amounted, of course, to the members of Congress voting themselves each a bonus of \$5000. The act raised a storm of protest and was repealed by the succeeding Congress.

In 1875 it was discovered that a group of distillers in St. Louis had, through the connivance of the United States collector of internal revenue, defrauded the government out of millions of dollars. Grant's secretary, Colonel Babcock, was implicated in the affair, and Grant himself had accepted costly gifts from the collector. In 1876 it was discovered that Belknap, the secretary of war, had bargained for the appointment of an Indian agent, and that the agent had paid Mrs. Belknap annually the sum of \$6000. The evidence against Belknap was overwhelming and the House passed a resolution of impeachment, but a few hours before the resolution actually passed Belknap tendered his resignation to President Grant, who promptly accepted it.

The presidential campaign of 1876 was one of the most exciting in the history of the country. Blaine was the leading candidate for the Republican nomination, but the fact that he was implicated in the railroad scandals proved fatal to his ambition, and the convention, which met in Cincinnati the middle of June, 1876, finally nominated Rutherford B. Hayes of Ohio. The Democrats nominated Samuel J. Tilden, a New York lawyer, who had achieved a national reputation by his vigorous prosecution of the Tweed Ring. The Greenback party, which wanted to continue in circulation the large volume of paper currency that had been issued during the war, also put a candidate in the field.

Early in the evening of election day, November 7, it was known that Tilden had carried New York, New Jersey, Connecticut, and Indiana, and on the following morning nearly every newspaper in the country announced his election, but there were two notable exceptions, the *New York Herald* and the *New York Times*, which said that the result was in doubt. The *Times* tabulated the vote as follows: Tilden 184, Hayes 181, and the four votes of Florida in doubt, but claimed by the Republicans. Later in the day the same paper announced that Hayes had 185 votes and Tilden 184, and that night the Republican National Committee issued a bulletin claiming the election for Hayes by one vote. As it turned out finally, Tilden had 184 undisputed votes and Hayes 165, while there were in dispute 7 votes in South Carolina, 4 in Florida, 8 in Louisiana, and 1 in Oregon. Hayes needed every disputed vote in order to win.

In Oregon one of the Republican electors, being a postmaster, was constitutionally ineligible and the governor gave a certificate of election to the highest elector on the Democratic ticket. The secretary of state, however, issued a certificate to the three Republican electors. In Florida, where the vote was very

The con-
tested
returns

close, the Democratic member of the returning board gave the certificates to the Democratic electors, while his two colleagues declared the Republican electors chosen.

In Louisiana and in South Carolina there were two governors and two legislatures, the Republican government in each case upheld by Federal bayonets and the Democratic government claiming to be the legitimate choice of the people. Double returns were therefore forwarded to Washington from both States. In Louisiana the Republican board of State canvassers went back of the returns and threw out several thousand Democratic votes in order to give Hayes a majority. James Ford Rhodes says in this connection : "As a matter of fact, Wells (the chairman of the board) and his satellites in secret conclave determined the presidency of the United States, but, before returning the vote of Louisiana for Hayes, there is little doubt that he offered to give it to Tilden for \$200,000."

The question which now arose was who should decide which were the valid certificates when Congress was ready to count the votes. On this point the Constitution is ambiguous. The twenty-second joint rule adopted by Congress in 1865 provided that if either House refused to accept the vote of any State, the vote of that State should be thrown out. In 1873 the votes of Louisiana and Arkansas had been excluded under this rule. In January, 1876, the Senate rescinded this rule, but it was not rescinded by the House. The Senate was Republican and the House Democratic, hence an agreement was impossible. Tilden had a popular majority of 264,000 and a good chance to win, but he did not manage his case well.

On January 29, 1877, Congress passed an act creating an electoral commission which was given full power to determine the cases in dispute. This commission was composed of five senators, three of whom were Republicans and two

The
electoral
commission

Democrats, five representatives, two of whom were Republicans and three Democrats, and four members of the Supreme Court, two of whom were Republicans and two Democrats. The four justices were to select a fifth member of the Court as the fifteenth member of the commission.

When the measure was agreed upon, it was expected that Justice Davis, who was

Hayes an independent
declared in politics,
elected would be se-

lected, but just before the bill was passed Davis was elected to the United States Senate by the legislature of Illinois and resigned from the Court. Justice Bradley, a Republican, was finally put on the commission, which was thus composed of eight Republicans and seven Democrats, and in every important case that came before them the vote stood eight to seven. All the votes in dispute were given to Hayes, and

he was declared to have been elected president of the United States. This result, however, was not reached until March 2, 1877, two days before the day set for the inauguration of the new president.

The country had been through a serious political crisis, and narrowly escaped another civil war. The Democrats, however, offered no resistance, and it is now generally known that assurances were given to the Democratic leaders



RUTHERFORD B. HAYES.

through some of Hayes's friends that in case they would acquiesce in the decision of the commission Hayes would immediately withdraw the troops from the South. As this was an object which the Democrats had long tried to bring about, they were satisfied with the compromise. One of the most unfortunate features of Hayes's conduct was the fact that he rewarded Wells, the chairman of the Louisiana Returning Board, and his friends by appointing them to good positions under the Federal government. The Republican governors of Louisiana and South Carolina who had certified the Hayes returns were unable to maintain themselves without Federal aid and withdrew with the troops, leaving the field to their Democratic opponents, who were promptly recognized by Hayes.

Restoration
of Home
Rule at the
South

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PART VI

THE NEW NATION

CHAPTER XXVI

ECONOMIC CHANGES, 1877-1897

THE period from 1877 to 1897 was one of economic change and political readjustment. It witnessed the rapid expansion of business, the settlement of the West through ^{The period} 1877-1897 the building of railroads and immigration, the organization of trusts, the formation of labor unions and the use of boycotts and strikes, the rise and fall of the Populist party, and the failure of both State legislatures and Congress to regulate the new forms of industrial organization. The period closed with an alliance between business and polities, in which business controlled, and the Republican party, which came into possession of all branches of the government in 1897, publicly proclaimed itself the agent of business prosperity.

The Centennial of the Declaration of Independence was celebrated at the beginning of this period by an exhibition which was the first revelation of the country's vast resources. The great Columbian Exposition held in Chicago in 1893 registered the wonderful industrial progress that had been made in less than two decades.

The Democratic party, which had lost control of the Federal government in 1860 through a factional split, recovered ground rapidly after the Civil War and in the elections of 1874 regained control of the House of Representatives. In fact, in eight of the eleven Congresses convened between 1875 and

1897 the House had a Democratic majority, though in all but two of these Congresses the Senate was Republican. In four of the six presidential elections held during these years the party in power was defeated; it was a period of political change and uncertainty.

During the whole of Hayes's administration the House was Democratic and during the second half the Senate also was Democratic, so that even had he possessed the powers of leadership which he lacked he could not have put through any party legislation. His administration was concerned with questions relating to the resumption of specie payments, the refunding of the national debt, and the status of paper money and of silver in our currency.

By the Refunding Acts of 1870 and 1871 the treasurer was authorized to buy up bonds bearing five, six, and seven

Resumption of specie payments per cent interest and to issue new bonds at four and four and one half per cent. In 1869 an act of Congress pledged the good faith of the United States to pay in coin "all obligations not otherwise redeemable" and to redeem legal tender notes in specie "as soon as practicable." Finally, in 1875 Congress passed the Resumption Act, which directed the secretary of the treasury to begin the redemption of greenbacks in gold on the first of January, 1879.

The agitation for the retention of the greenbacks as a permanent part of our currency had begun about 1868 and had made great headway in the West. The Independent or Greenback party nominated candidates for the presidency in 1876, 1880, and 1884, but the advocates of an inflated currency finally united forces with those who favored the free coinage of silver. The ratio of 16 to 1 for the coinage of silver and gold had been fixed by law in 1834, but as silver was undervalued little or none was brought to the mint. As the silver dollar had been practically out of circulation for a generation

The demand for an inflated currency

Congress in 1873 dropped it from the list of coins. This demonetization of silver, which attracted very little attention at the time, was later referred to as "the crime of 1873." With the development of the silver mines of the West there arose a demand for the recoinage of silver, and in 1878 Congress passed over the president's veto the Bland-Allison Bill, which directed the secretary of the treasury to purchase from \$2,000,000 to \$4,000,000 worth of silver bullion each month and to coin it into standard silver dollars.



JAMES A. GARFIELD.

Hayes had never been a real party leader; his nomination in 1876 had been due entirely to considerations of "availability." Though he had corrected many of the abuses of the Grant administration he had not gone far enough to satisfy the advanced advo-

The cam-
paign of
1880

cates of civil service reform. He had thus antagonized both reformers and spoilsman and his advocacy of the gold standard had alienated other members of his party. There was therefore no serious thought of his renomination in 1880.

The leading candidates in the Republican party were Grant and Blaine. On thirty-six ballots Grant led, but the deep-seated opposition to a third term prevented his nomination. As there was little chance of Grant's supporters going over to Blaine the convention finally selected James A.

Garfield of Ohio as the most available candidate. On the nomination of Senator Conkling of New York, who was recognized as Grant's spokesman, Chester A. Arthur, who had been removed from the position of collector of the port of New York by President Hayes for pernicious political activity, was placed on the ticket as candidate for the vice-presidency, to the great dismay of the reform wing of the party.

The Democrats nominated as their candidate General Winfield Scott Hancock, a man of high character backed by a splendid military record during the Civil War. The campaign was singularly devoid of real political issues. The Democratic orators made undue use of "the crime of 1876," by which their party had been deprived of the presidency. Shortly before the election the tariff question

A black and white portrait of Winfield Scott Hancock. He is a middle-aged man with dark hair, wearing a dark suit jacket over a white shirt and a dark bow tie. He is looking slightly to his left.

WINFIELD S. HANCOCK.

assumed unexpected importance. The Democratic platform had declared for a tariff "for revenue only," and General Hancock when accused of being a free trader tried to avoid the issue by declaring that the tariff was a local question. Garfield received 214 electoral votes to Hancock's 155, though his popular majority was less than 10,000 in a total of nearly 9,000,000 votes.

In the selection of his cabinet Garfield tried to heal the breach in the Republican party; the appointment of James

G. Blaine as secretary of state and most of the other appointments were made with this end in view. One of Conkling's friends was appointed postmaster general, ^{Death of Garfield} but this failed to satisfy him, and when the president made his own choice for the collectorship at New York Conkling opposed the confirmation, and his colleagues, as an act of senatorial courtesy, held up the appointment. The president, however, refused to be dictated to by the New York senator, whereupon Conkling and his colleague, Thomas C. Platt, resigned their seats and appealed to the New York legislature, then in session. They failed, however, to secure vindication at the hands of that body and new senators were chosen for their places.

The party was also divided on the question of prosecuting the frauds which had been discovered in the Post Office Department in connection with the "star routes," as the stage coach routes in the West were designated. Some of the Republican leaders were involved and undertook to check the investigation.

On July 2, 1881, less than four months after his inauguration, President Garfield was shot in a railroad station in Washington by a disappointed office seeker who was probably insane. He hovered between life and death for weeks, and finally died on September 19, in a cottage on the Jersey coast where he had been taken by the advice of his physicians. The presidency now devolved upon Arthur, who, contrary to general expectation, filled the office with great credit to himself and with general satisfaction to the country.

Arthur's administration was occupied with civil service reform and labor disputes. The circumstances surrounding the assassination of Garfield directed popular ^{Arthur's ad-} attention to the question of civil service reform. ^{ministration} Although President Arthur had been regarded as a spoilsman, he recommended to Congress the passage of an act creating the first Civil Service Commission and in 1883 signed this

important measure. He also continued the prosecution of the "star route" frauds. In 1882 he vetoed the River and Harbor Bill, which had grown to unreasonable proportions.

As a result of the high tariff rates established during the Civil War a surplus was accumulating in the treasury, and Congress undertook in 1882 a revision of the tariff. This revision was non-partisan, the House being Republican and the Senate equally divided, with two Independents holding the balance of power. The tariff was "revised but not changed," both parties containing protectionists as well as advocates of tariff for revenue only.

It was at about this time that organized labor **Organized labor** began to be a force in American politics. The strike as a method of advancing the interest of the laboring man first came into general use in America about 1876 and 1877. The Knights of Labor, formed in 1869, was a secret organization including laborers of all trades. In 1881 the American Federation of Labor was organized on the basis of the trade union, but with the same general object of promoting the interests of laborers through State and national legislation. In 1884 the office of commissioner of labor was created in the Department of the Interior. As the two dominant political parties were now nearly equal in strength the attitude of the laboring classes,



CHESTER A. ARTHUR.

especially of the foreign born who made up such a large proportion of the ranks, became a question of vital importance.

The Republican National Convention met in Chicago early in June, 1884, and nominated James G. Blaine for president and John A. Logan for vice-president. Blaine had come near winning the nomination in 1876 and in 1880, and as he had been Garfield's intimate friend and political adviser he now had additional strength. Outside of his own state, Maine, he had little strength in New England, but he had a large personal following throughout the rest of the country and his nomination created widespread enthusiasm. While there had been vague warnings that his nomination might alienate the reform element of the party, no one had accurately gauged the extent of the opposition.

The announcement of Blaine's nomination was followed by a formidable revolt of prominent Republicans and party newspapers. The Independents were especially strong in New York, where the term "Mugwump" was first applied to them. The movement was led by such prominent Republicans as Carl Schurz, George William Curtis, and Henry Ward Beecher.

The leading candidate for the Democratic nomination was Grover Cleveland, who had been elected governor of New York in 1882 by the unheard of majority of 192,000. He had carried out important reforms in that State notwithstanding the opposition of Tammany Hall, and it was known that his nomination would be acceptable to the Republican bolters. When the Democratic Convention met in Chicago early in July, Cleveland was nominated on the second ballot. The Mugwumps supported him and their support determined the issue.

Although "purity in polities" was the watchword of the Independents, probably no campaign in American history has been fought so largely on personalities. Scandalous

The "Mugwump" campaign

reports concerning the morals of the two candidates were circulated. Blaine made an open play for the foreign vote, but an incident which occurred on the eve of the election probably cost him the State of New York and the presidency. A clergyman, who headed a delegation which met him in New York as he was returning from a



GROVER CLEVELAND.

campaign tour, said in the course of his remarks that the Democratic party was the party of "rum, Romanism, and rebellion." The phrase was taken up by the press and erroneously attributed to Blaine. It cost him thousands of votes throughout the country and had the effect in New York of solidifying the Irish vote for Cleveland. Cleveland had a majority of 37 votes in the Electoral College, but his popular majority in New York was only about 1100. A

change of 600 votes would have given New York and the presidency to Blaine.

Grover Cleveland was the first Democratic president inaugurated since Buchanan. Throughout the whole of his first administration the Senate was Republican, so it was impossible for the president and the Democratic House to carry out the pledges of the party platform. Cleveland was a man of great force of character and independence of judgment. Although he had had no

experience in national polities, he possessed qualities which quickly won him the confidence of the people. He always had the courage of his convictions; during his first term he vetoed 260 private pension bills; his vetoes were based on careful examinations, and the Grand Army of the Republic refused in 1887 to pass a resolution of censure. He also vetoed a River and Harbor Bill, which he considered an unwarranted raid on the public treasury. Notwithstanding the solicitations of the Democratic politicians, he carried out a consistent policy of civil service reform and by executive orders nearly doubled the number of those in the classified service.

Cleveland's first administration witnessed the rapid development of the territory between the Mississippi and the Rocky Mountains. Most of the great trans-continental railroads had by this time either by construction or consolidation completed their lines to the Pacific. The railroads encouraged immigration and colonization; they had lands to sell and wanted freight to haul; they had to create communities in order to realize profits.

The land laws of the United States, that is, the preëmption, homestead, and timber laws, had been framed in the interest of the small landholder and no provision had been made for enterprises requiring large acreage. Railroad and lumber companies openly violated these laws and Cleveland undertook to correct frauds and abuses. He successfully ousted cattle companies which had fenced in public lands and driven off "trespassers" with rifles. He also recovered lands which had been granted to railroads and forfeited by non-completion to the extent of 50,000,000 acres.

— The Dawes Indian Act of 1887, by permitting Indians to hold land in severalty, was the first step in the process of making the Indian a citizen and breaking up the tribal organization. Shortly before the close of Cleveland's administration the Department of Agriculture was created with a seat in the cabinet.

Railroad construction and the consolidation of lines had proceeded at such a rapid rate that the State legislatures found it impossible to cope with the new problems of railroads that were continually arising. Cut rates, rebates, special privileges, and various forms of discrimination were becoming all too common. In the Granger Cases in 1877 the Supreme Court had held that the States had the right to establish rates by law even though these rates affected interstate commerce. In 1886, in the case of the Wabash Railroad *v.* Illinois, the Court reversed its opinion, holding that railroads were subject to regulation, but that such regulation where interstate rates were concerned was exclusively a Federal function.

The next year Congress passed the Interstate Commerce Act creating a commission of five, no more than three of whom should belong to one party, vested with the power to investigate and prevent unfair discrimination in rates. The construction placed by the courts upon the act deprived the commission of some of the powers which Congress had intended to bestow upon it, and it was some years before the defects in the original act were remedied by further legislation. The railroads were not disposed to recognize the quasi-public nature of their business and did everything they could to evade the law.

A large part of the Civil War debt had been paid off and the rest funded in long term bonds. Most of the emergency Surplus and taxation of the Civil War period had been repealed, pensions but the high tariff continued to roll up a large surplus in the treasury and this surplus invited extravagance in appropriations. The annual River and Harbor Bill had grown to enormous proportions and both Arthur and Cleveland had found it necessary to interpose the veto.

The politicians, however, discovered a new means of disposing of the surplus. The Grand Army of the Republic, originally a social and fraternal organization, now began a

systematic raid on the treasury and was soon converted into a powerful political machine. Pensions had been granted hitherto for disabilities received in the service. In 1887 Congress passed a bill granting pensions for incapacity and dependence of every kind, and Cleveland promptly vetoed it. A bill of the same character was, however, passed under Harrison in 1890, which in the course of ten years took out of the public treasury \$1,350,000,000. Pensions were later granted to all who had seen three months' service, so that during the next decade the appropriations were even larger, and they still continue.

As the South has paid its share of this enormous sum, which has been distributed mainly in the North and West, the pension system has had the effect of imposing on the South one of the heaviest war indemnities that any conquered people have ever been called to pay. The system has not only impoverished the South, but it has also won thousands of supporters for a high tariff.

President Cleveland had other ideas as to the method of reducing the surplus. In his annual message of 1887 he gave almost his entire attention to the topic of tariff reform. In 1888 a tariff bill introduced from the Ways and Means Committee by Roger Q. Mills of Texas led to a great debate in the House. Although some of the Democratic leaders had urged Cleveland against taking this step, when the issue was finally drawn he had the solid support of the Democratic party. The Republicans were equally united against the measure, and thus for the first time in more than twenty years the two great national parties were lined up on a definite, clear-cut issue. The bill passed the House of Representatives, but with the Republicans in control of the Senate it was not allowed to come to a vote in that body.

The tariff becomes a party issue

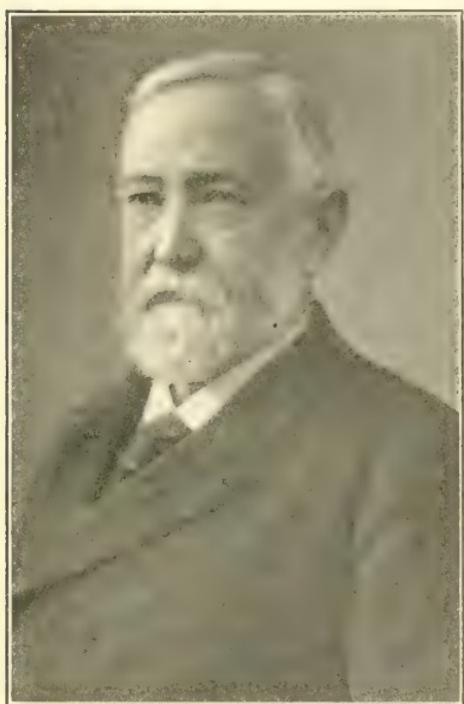
President Cleveland had thus staked his political fortunes on a single issue. There was little doubt that he would again

be the nominee of his party and it was generally expected that Blaine would a second time be his opponent. When
The cam-paign of 1888 the Democratic convention assembled in St. Louis in June Cleveland was nominated by acclamation with great enthusiasm; Allen G. Thurman of Ohio was nominated with equal enthusiasm for the vice-presidency.

The Republican convention met in Chicago on June 19. In January Blaine had addressed a letter from Florence, Italy, to the chairman of the Republican National Committee, in which he declared that on account of "considerations entirely personal" he had decided not to permit his name to be presented to the convention. This letter was a bitter disappointment to his friends and political followers; many of them refused to accept it as a final declination of the nomination. A large number of candidates, however, at once entered the field, and when the convention met there was no indication as to who would win the honor. Benjamin Harrison of Indiana was finally nominated, with Levi P. Morton of New York for vice-president.

During the campaign that followed the attention of the country was given to debates on the tariff. There was only one incident that distracted attention from this
Defeat of Cleveland issue. About two weeks before the election a letter was made public written by Lord Sackville-West, the British Minister at Washington, to Charles F. Murchison, a resident of California, who had represented himself as a former British subject, now a naturalized American. He sought advice from the British minister as to how he should vote in the coming election. Lord Sackville-West replied that he thought Cleveland was more friendly to England than Harrison. The whole affair was a hoax; Murchison was a fictitious name. The Republicans published the correspondence, with the intention of drawing the Irish vote from Cleveland. The president, however, promptly brought the

matter to the attention of the British government, and on the failure of Lord Salisbury to take any action, Cleveland gave the British minister his passports. Although Cleveland received 100,000 more popular votes than Harrison, the latter had a majority of 65 in the electoral college.



BENJAMIN HARRISON.

The most important measures of Harrison's administration were the McKinley Tariff Act, the Sherman Anti-Trust Act, ^{Harrison's} administration and the Sherman Silver Purchase Act. Notwithstanding the fact that Cleveland had received more popular votes than Harrison, the Republicans regarded their victory as a repudiation of Cleveland's tariff policy and proceeded to pass a new act which emphasized more than ever the doctrine of protection. The McKinley Tariff of 1890 increased

the amount of protection and at the same time reduced the revenue. Raw sugar was admitted free and a bounty of two cents a pound was granted to the American producer of sugar. This act contained two novel features: it authorized the president to impose a duty on tin plate as soon as the American mills were ready to manufacture it; and through the influence of Blaine, who was Harrison's secretary of state, a reciprocity provision was introduced whereby certain imports from Latin America were to be

admitted at lower rates in return for favors granted to American goods.

The question of controlling the larger corporations and trusts had been under discussion for several years. Although drafted by Republicans the Sherman Anti-Trust Act Trust Act was not entirely a party measure. It declared illegal "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations." The same Congress passed the Silver Purchase Act, directing the secretary of the treasury to purchase 4,500,000 ounces of silver each month and to issue in payment thereof treasury notes redeemable in gold or silver at the discretion of the secretary of the treasury. At the same time Congress declared that it was the intention of the United States to maintain the two metals on a parity. On account of its large appropriations for pensions, river and harbor improvements, and other reckless expenditures this Congress became famous as the "Billion Dollar" Congress.

The solid Democratic South was a thorn in the side of the Republican party, and in the campaign of 1888 that party Disfranchisement of the negro pledged itself to the enforcement of the Fourteenth and Fifteenth Amendments. In 1890 a Force Bill, which placed the control of Southern elections in Federal hands, passed the House and was championed in the Senate by Henry Cabot Lodge of Massachusetts. It was, however, defeated by a combination of Southern senators and Republican senators from the silver States of the West. This combination was destined to have an important influence on national politics a few years later.

Meanwhile, the growth of the Populist party in the South, dividing the whites, threatened to give the negroes the balance of power, and it became necessary to find some method of depriving the negro of the suffrage. In this significant movement Mississippi led the way. The new

State constitution of 1890 prescribed for all voters the payment of a poll tax of two dollars by the first of February of the year in which the election was held, and ability to read any section of the State constitution or to understand and interpret it when read. It further disqualified from voting all those who had been convicted of "bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, embezzlement or bigamy," offenses which were common among the negroes. While these requirements excluded a large percentage of negro voters, they also excluded quite a large number of whites.

In order to meet this difficulty the Louisiana constitution of 1897 adopted the famous "grandfather clause," which provided that no male person who was entitled to vote on January 1, 1867, and no son or grandson of any such person over twenty-one years of age at the time of the adoption of the new constitution should be denied the right to vote by reason of his failure to possess the necessary educational or property qualifications. This clause restored to the electorate the poor and illiterate whites who would otherwise have been excluded. This, or some similar device for disfranchising the negro, was adopted within a few years by most of the Southern States. The grandfather clause was, however, of only temporary duration, that is to say, voters could register under it prior to a certain date. After the date mentioned new applicants for registration had to meet the educational or property test.

The
"grand-
father
clause"

Several cases designed to test the validity of the new Southern constitutions were carried to the Supreme Court of the United States, but the Court turned them down on technical grounds and failed to pass on the merits of the question. The new Oklahoma constitution of 1910, however, undertook to make the grandfather clause of permanent duration. In a decision handed down June 21, 1915, the Supreme Court

held that the exemption from the literacy test of persons who voted in 1866 and their descendants was contrary to the Fifteenth Amendment, as it perpetuated the conditions which that amendment was intended to destroy.

The effect of the new Southern constitutions has been to eliminate the negro from polities. During the days of **The new South** reconstruction and for some years afterwards he was deprived of political power through intimidation, fraud, and bribery. The necessary resort to such measures lowered the political morale of the South and created unfortunate conditions in many of the Southern States. The present method, although an evasion of the Fifteenth Amendment, is effective and renders unnecessary a resort to fraud and intimidation. Under the new constitution of Mississippi only 8615 out of 147,000 negroes of voting age were registered; in Louisiana the number of negro voters fell from 127,000 in 1896 to 5300 in 1900. In 1900 there were over 350,000 adult male negroes in South Carolina and Mississippi, yet the total Republican vote in both these States was only 5433, of whom probably 2000 were whites. It thus appears that about 99 of every 100 negroes failed to vote.

The North has to a large extent acquiesced in this result. This attitude of mind has been brought about, partly by the realization that the bestowal of unlimited suffrage upon the negro was a stupendous error, and partly by the development of the industrial South with the aid of Northern capital. During the last thirty years industries which were undreamed of in the days of cotton and slavery have been developed with amazing rapidity. With the production of timber, coal, iron, and the manufacture of cotton the South has entered upon an era of industrialism, which has given rise to problems that do not differ essentially from those that claim the attention of other parts of the country.

In 1876 Colorado was admitted to the Union; no other State was admitted until 1889. Before the expiration of Cleveland's term the Democrats passed, and the president signed, a bill admitting North Dakota, South Dakota, Montana, and Washington. As these States were likely to be Republican, the Democrats had not been disposed to admit them, but after the election of 1888, when it became evident that the Republicans would control all branches of the national government, the Democrats had no reason for further delay and admitted these States. Idaho and Wyoming were not included in the bill, but they were admitted by the Republicans in 1890. The Republicans, on the other hand, prevented Arizona and New Mexico from coming in in 1889 and 1890 because they would naturally be Democratic. They were not admitted until 1912.

The admission of new States

Utah presented quite a different case. That territory had acquired a large population and attained a high degree of prosperity by 1850, but hostility to the Mormons on account of the existence of polygamy kept Utah from being admitted until 1896. With the admission of Idaho and Wyoming there was for the first time a continuous belt of States from the Atlantic to the Pacific. The frontier had at last disappeared; most of the public land that was suitable for cultivation had been occupied. If the population of the West was to continue to increase, irrigation and more intensive methods of cultivation must be introduced. As a nation we had been lavish and wasteful in the use of natural resources and the necessity for conserving these resources had not been apparent.

The rapid settlement of the West had been unduly stimulated by the railroads. The Western farmer operated on borrowed capital. As long as the rainfall was sufficient crops were good and he was able to pay the interest on his mortgages. In 1889 the rainfall was decidedly below the normal and crops failed over large areas,

The rise
of the
Populists

causing widespread dissatisfaction. The farmer felt that the government was run in the interests of Eastern merchants and manufacturers. There was little difficulty in convincing him that the McKinley Tariff had been framed in the interest of the capitalistic classes.

In the 80's the Farmers' Alliance had become a national organization superseding the Granger movement of the 70's. In December, 1889, the Farmers' Alliance held a national convention at St. Louis and took the first step in the organization of the People's party. The leaders of the movement, convinced of the hopeless conservatism of the two older parties, hoped to combine in one radical party organized labor and organized agriculture. The labor leaders regarded the new movement with favor, though as the event proved the new party did not succeed in winning the undivided labor vote. The decline in agricultural prices and the increasing cost of manufactured articles created a demand in the West and South for cheaper money, and the demand for the free coinage of silver, stimulated by the mining interests of the West, became one of the chief tenets of the new party.

In the congressional elections of 1890 the Republicans lost control of the House. In many of the Western States there was a combination of Democrats and Farmers' Alliance men, and in the new House there were 236 Democrats, 8 Populists, and only 88 Republicans. The Republicans retained control of the Senate by a narrow margin.

Harrison and Cleveland were again the candidates in 1892. David B. Hill had been elected governor of New York in 1888 although the electoral vote of the State had gone to Harrison, and it was openly charged that The cam-
paign of
1892 Hill had betrayed Cleveland through a combination with the Republicans in order to secure his own election as governor. In February, 1892, Hill, who through Tammany Hall controlled the New York organization, held a "snap convention" and secured a delegation pledged to his

support against Cleveland. When the Democratic convention met in Chicago, however, on June 21, Cleveland was nominated on the first ballot.

The Republican convention had met at Minneapolis two weeks earlier and renominated Harrison. Harrison had not grown in popularity either with the politicians or with the rank and file of his party and there had been a widespread demand for Blaine. But the latter, who was in bad health, had written a letter announcing that he was not a candidate. Three days before the meeting of the convention he threw the party into a state of bewilderment by suddenly resigning the position of secretary of state. It was known that his relations with the president were strained and his resignation, without any accompanying explanation, was taken by many as an indication that he had changed his mind about the nomination. No explanation of his action has ever been given. Harrison was nominated on the first ballot, though Blaine received 182 votes.

Cleveland and Harrison were both conservatives and the platforms on which they ran agreed in making the tariff the main issue of the campaign. The People's party, The re-election of Cleveland which met in convention at Omaha, July 2, boldly denounced what was termed "a sham battle over the tariff," and put forth one of the most radical and significant platforms ever placed before the American people; it contained most of the important reforms which were the subject of political agitation for the next twenty-five years. Among other things it advocated the free coinage of silver at the ratio of 16 to 1, a graduated income tax, postal savings banks, government ownership of telegraph and telephone lines, the Australian ballot, the restriction of immigration, an eight hour day on all government work, the initiative and referendum, and the election of United States Senators by direct vote of the people.

The contest between the two older parties centered about

the tariff. The McKinley Bill had reduced the revenue and caused a rise in prices; the Republicans were on the defensive and the Democratic party posed as the champion of the consumer. The result of the election was a surprise to everybody. Cleveland carried not only the solid South and all the doubtful States by large majorities, but he also carried the Republican strongholds of Illinois, Wisconsin, and California. One of the surprises of the election was that General James B. Weaver, the Populist candidate, received over 1,000,000 popular votes and the electoral votes of five States, Colorado, Idaho, Kansas, Nevada, and North Dakota, as well as one of the three votes of Oregon.

With the inauguration of Cleveland the Democratic party came into full control of the government for the first time since 1860, but it was called upon unexpectedly to face the most serious financial crisis in the history of the country. For fourteen years the country had enjoyed uninterrupted prosperity. Financial disturbances abroad, beginning with the failure of Baring Brothers, had before the close of Harrison's administration started a heavy exportation of gold, the stock of which in the treasury had already been considerably reduced through the operation of the McKinley Tariff and the expenditures for pensions and river and harbor improvements.

Meanwhile the operation of the Sherman Silver Purchase Act had greatly increased the amount of credit money. Furthermore, there had been overspeculation and inflation of values. When Cleveland came into office the gold reserve in the treasury, on which the value of silver and paper money depended, was rapidly dwindling. Neither party had expressed itself unequivocally on the silver issue, but Mr. Cleveland was outspoken in his support of the gold standard and, summoning Congress to meet in extra session in August, he urged the immediate repeal of the Sherman Act. The House promptly repealed the act but the Senate debated

the matter until the last of October, when the repeal was carried through that body with the aid of Republican Senators.

With the Democratic party badly split on the financial question the regular session of Congress in December undertook to enact a new tariff law. A bill framed by **The Wilson Tariff Act** William L. Wilson and embodying the views of tariff reform which had been advocated by the Democrats during the recent campaign was successfully put through the House. This measure placed a number of raw materials on the free list, reduced duties upon manufactured goods, substituted *ad valorem* for specific duties in a large number of cases, and in order to supplement the reduced revenue from the tariff imposed a two per cent tax on all incomes in excess of \$4000.

The bill was badly mutilated in the Senate, where the Republicans, with the aid of a group of Democratic Senators headed by Arthur P. Gorman, succeeded in striking coal, iron ore, and sugar from the free list. President Cleveland was so chagrined at the failure of a Democratic Senate to carry out the party pledges that he permitted the bill to become a law without his signature. A few months later the Supreme Court of the United States declared the income tax unconstitutional by a vote of five to four, one of the justices who was understood to favor the tax having unexpectedly changed his mind.

The failure of banks, the closing of factories, and the general business depression that ensued from the financial crisis threw hundreds of thousands of workmen **Labor Troubles** out of employment and produced during the winter of 1893-1894 the most serious labor disturbances that the country had ever witnessed. Mobs of the unemployed threatened to coerce city councils and State legislatures, while a widely advertised band known as "Coxey's Army" was organized in the far West and marched to Washington

for the purpose of demanding relief from the Federal government.

In June, 1894, the members of the American Railway Union entered upon a sympathetic strike to aid the employees of the Pullman Car Company and refused to operate trains to which Pullman Cars were attached. As serious rioting occurred in Chicago and the city and State authorities seemed unable to control the mob, President Cleveland promptly ordered United States troops to Chicago to prevent interference with the mails. Against this action Governor Altgeld of Illinois vigorously protested on the ground that the national government had no right to send troops into the State to preserve order unless he requested them.

Meanwhile, a Federal judge had issued an injunction ordering the members of the American Railway Union to refrain from interfering with the operation of certain designated railroads. Eugene V. Debs ignored the injunction and was arrested and imprisoned for contempt of court. This use of the injunction, which was frequently resorted to later by other Federal judges, became one of the principal grievances of the Labor party.

The Democratic party was now hopelessly divided on the question of finance. The president had driven the advocates of free silver into close alliance with the Populists. **The split in the Democratic party** He had antagonized organized labor. Business depression was attributed by the advocates of free silver in the South and West to the president's maintenance of the gold standard and by the Republicans of the East to the Wilson tariff. The failure of the Supreme Court to uphold the income tax helped to increase the deficit in the treasury. In the congressional elections of 1894 the Republicans secured control of both House and Senate. President Cleveland had apparently been repudiated by the country as well as by his own party. His further efforts to maintain

the gold standard through the sale of bonds and the agreement made in February, 1895, with J. P. Morgan to protect the gold reserve in the treasury against further raids, caused him to be denounced in the harshest possible terms by the silver wing of his party.

In 1892 the Democratic and Republican parties had both tried to dodge the silver issue. In the preconvention campaign of 1896 the Republicans again tried to avoid committing themselves on this issue. Their principal candidate, William McKinley of Ohio, had openly advocated free silver, but as he was also the author of the tariff bill of 1890 and as the Republicans intended to make the tariff the main issue of the campaign, he seemed to be the strongest candidate. His campaign for the nomination was managed by Marcus A. Hanna, a successful business man of Cleveland, who now introduced effective business methods into politics. During the preceding winter Hanna had gone South and through the free use of

money among the negroes had secured for McKinley the Southern delegates to the Republican convention. He did his work so thoroughly and systematically that when the convention met at St. Louis, June 16, the nomination of McKinley was secured on the first ballot. The question of the platform was not so easily decided. The advocates of



WILLIAM JENNINGS BRYAN.

the gold standard finally prevailed and thirty-four silver Republicans withdrew from the convention.

The Democratic party met in Chicago early in July. No candidate had the lead and the attention of the whole country was centered on the question as to whether the convention would pronounce in favor of free silver or not. The Silverites controlled from the start and the platform demanded "the free and unlimited coinage of both silver and gold at the present legal ratio of 16 to 1 without waiting for the aid or consent of any other nation."

In the debate on the silver plank William J. Bryan of Nebraska captivated the convention by a brilliant speech **Nomination of Bryan** in advocacy of free silver, closing with the now famous words: "You shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold." He was nominated on the fifth ballot. At this time he was only thirty-six years of age and, although he had been a member of Congress, his name was unknown in the East. The Populists met in St. Louis a few days later and indorsed Bryan. This fusion with the Democrats was the deathblow to the People's party, which had been launched under such favorable auspices in 1892. The Gold Democrats repudiated Bryan and placed a second ticket in the field with John M. Palmer of Illinois as their candidate for president and Simon B. Buckner of Kentucky for vice-president. Bryan, a young and vigorous speaker, introduced a new method of campaigning. He traveled all over the country preaching the gospel of free silver to hundreds of thousands of his fellow citizens.

McKinley, on the other hand, remained quietly at his home at Canton, Ohio, receiving delegates on his front porch, **The election of McKinley** but leaving the conduct of the campaign to his friend Hanna. Old political lines seemed to have disappeared; the old parties were, for the time being, replaced by a gold party and a silver party. Hanna succeeded

in firmly cementing the alliance between business and the Republicans, and McKinley, who was loudly proclaimed "as the advance agent of prosperity," was elected. Bryan carried the solid South and a number of States in the West, but all the States north of the Potomac and east of the Mississippi went for McKinley. The vote was the heaviest that had ever been cast; Bryan received 6,500,000 and McKinley over 7,000,000 votes.

Shortly after the inauguration of McKinley, Congress was convened in extra session and enacted the Dingley Tariff, which was signed July 24, 1897. The duties imposed by this measure were higher than those of the McKinley bill. As an excuse for these excessive rates the act authorized the president to negotiate reciprocity treaties with foreign nations, by which it was claimed that many of the duties would be lowered. A number of such treaties were negotiated by John A. Kasson and submitted by the president to the Senate, but that body failed to ratify them.

The Dingley
Tariff and
the gold
standard

Before the next presidential election the Gold Standard Act was put through Congress by the Republicans, committing them unequivocally to the policy of maintaining a sufficient gold reserve in the treasury to keep the country on a gold basis. The alliance between the Republican party and big business was thus firmly cemented, and the Spanish War with the new questions that it raised obscured for several years the radical tendencies that had come to light in the campaigns of 1892 and 1896.

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Withdrawal
of the
French from
Mexico

CHAPTER XXVII

FOREIGN RELATIONS, 1865-1897

THE Civil War left standing two serious disputes with foreign powers, the one with France over the presence of her troops in Mexico and the other with England over the "*Alabama Claims*." As the Civil War drew to a successful conclusion Secretary Seward's protests against the continued intervention of France in Mexico became more and more emphatic. Finally in December, 1865, he declared to France that friendly relations would be seriously jeopardized by a continuance of her Mexican policy and a little later he demanded to know when the military occupation would come to an end.

The Emperor Louis Napoleon finally decided that he could not risk a war with the United States and on April 5, 1866, announced that the French troops would evacuate Mexico in three detachments, covering a period of eighteen months. When the time came for the first detachment to withdraw, no action was taken, but Napoleon explained to the United States that he had decided to withdraw all his troops in a body the following spring. The success of Prussia in the Austrian War of 1866 was a serious blow to Napoleon's prestige and in order to prepare for the conflict with that power, which he now regarded as inevitable, he decided to leave Maximilian to his fate. That unhappy prince was soon overthrown by Juarez and summarily shot.

When the United States first demanded reparation for the damage inflicted on American commerce by the *Alabama* and other Confederate cruisers the British government dis-

claimed all liability on the ground that the fitting out of the cruisers had not been completed within British jurisdiction. Even after the close of the war the British government continued to reject all proposals for a settlement. The American nation, flushed with victory, was bent on redress and so deep-seated was the resentment against England that the Fenian movement, which had for its object the establishment of an independent republic in Ireland, met with open encouragement in this country. In 1866 several thousand Irishmen undertook to invade Canada from the United States, and were driven back by the Canadian authorities. At the same time numbers of Irishmen who had been naturalized in this country returned to their native land and conspired against England. Many of them were arrested and the American government felt called upon to ask for their release. The House of Representatives encouraged the Fenian movement to the extent of repealing the law forbidding Americans to fit out ships for belligerents, but the Senate failed to concur.

The successful war waged by Prussia against Austria in 1866 disturbed the European balance and rumblings of the

The Johnson-Clarendon convention approaching Franco-Prussian war caused uneasiness in British cabinet circles. Fearing that if Great Britain were drawn into the conflict the American people might take a sweet revenge by fitting out "Alabamas" for her enemies, the British government assumed a more conciliatory attitude and in January, 1869, Lord Clarendon signed with Reverdy Johnson, who had succeeded Adams as minister to England, a convention providing for the submission to a mixed commission of all claims which had arisen since 1853. Though the convention included, it did not specifically mention the "*Alabama Claims*," and it failed to contain any expression of regret for the course pursued by the British government during the war. The Senate therefore refused by an almost unanimous vote to

ratify the arrangement, much to the disappointment of Secretary Seward, who had hoped to settle this question before leaving the State Department.

Seward's successor, Hamilton Fish, renewed the negotiations through Motley, the American minister at London, but the latter was unduly influenced by the extreme views of Sumner, chairman of the Senate Committee on Foreign Relations, to whose influence he owed his appointment, and got things in a bad tangle. Fish then transferred the negotiations to Washington, where a Joint High Commission appointed to settle the various disputes with Canada convened in February, 1871. The main obstacle in the way of a settlement was now the chairman of the Foreign Relations Committee of the Senate. Sumner insisted that England should pay damages not only for the property actually destroyed by the Confederate cruisers, but also indirect damages for the increased rates of insurance, for the loss sustained through the transfer of American shipping to foreign flags, and for the prolongation of the war resulting from England's hasty recognition and subsequent encouragement of the Confederates. Realizing that the sum total of these claims would be too vast even for England to pay, he suggested that the least she could do would be to withdraw from this hemisphere, leaving Canada and her West Indian possessions to be annexed by the United States. President Grant had now lost all patience with Sumner, who had violently opposed his pet scheme for the annexation of Santo Domingo, and when the Senate convened in March, 1871, Sumner was dropped from the Committee on Foreign Relations, Motley was recalled from London, and on May 8 the treaty of Washington was signed.

Besides providing for the settlement of questions that had arisen with Canada in regard to commerce, navigation, inshore fisheries, and the northwest boundary, the treaty of Washington provided for submitting the "Alabama Claims" to an

arbitration tribunal composed of five members, one appointed by England, one by the United States, and the other three by the rulers of Italy, Switzerland, arbitration and Brazil. When this tribunal met at Geneva the following year the United States, greatly to the surprise of everybody, presented the indirect claims as well as the direct, and Great Britain threatened to withdraw.

Charles Francis Adams, the American member of the tribunal, rose to the occasion, however, and decided against the contention of his own government. The indirect claims were rejected by unanimous vote and on the direct claims the United States was awarded the sum of \$15,500,000. Although the British member of the tribunal dissented from this decision, his government promptly paid the award. This was the most important case that had ever been submitted to arbitration and its successful adjustment encouraged the hope that the two great branches of the English speaking people would never again have to resort to war.

The purchase of Alaska from Russia in 1867 was one of the most important achievements of Seward's secretaryship of state. It came as a great surprise to the public. There was no demand for this frozen zone and the idea that it would ever be of any value was openly ridiculed. But Seward was the greatest of all American expansionists. As early as 1846 he declared that our population was destined "to roll its resistless waves to the icy barriers of the North, and to encounter oriental civilization on the shores of the Pacific." He also believed that we would expand to the South and predicted that the city of Mexico would be "the ultimate central seat of power of the North American people."

When, therefore, he learned in 1867 that Russia was willing to sell her American possessions he was quick to open negotiations. The price finally agreed upon between him and Baron Stoeckl, the Russian minister, was \$7,200,000. The

The purchase of Alaska

treaty was promptly ratified by the Senate with only two dissenting votes and proclaimed June 20, 1867. The House, which was bitterly hostile to the administration, did not so readily consent to vote the appropriation, but finally did so the following year. It was charged at the time, and later investigations seem to confirm the charge, that a part of the purchase money was used in bribing members of Congress to vote for the appropriation. The United States thus secured for a trifling sum a vast area of nearly 600,000 square miles immensely rich in unsuspected minerals. From the fur seals alone the government has received double the amount of the purchase price.

The experience of the navy during the Civil War demonstrated the importance of securing coaling stations and naval bases in the West Indies. The Danish Islands of St. Thomas, St. John, and Santa Cruz had been a favorite resort for the war vessels of the United States, most of the other West Indian Islands being favorably disposed to the Confederates. In December, 1865, Secretary Seward started on a cruise for his health, in the course of which he visited St. Thomas and also Santo Domingo. On his return he immediately opened negotiations with the Danish minister, who was authorized to sell the Danish group for \$15,000,000. Seward thought this too much, but the following year a treaty was signed at Copenhagen by which Denmark agreed to sell two of the islands, St. Thomas and St. John, for \$7,500,000, provided the inhabitants should agree to the transfer.

Negotiations
for the pur-
chase of the
Danish
West Indies

In January, 1868, a popular vote was taken, and the inhabitants, most of whom were English speaking, expressed themselves almost unanimously in favor of American annexation. The Danish Rigsdag ratified the treaty, but after a delay of several months the Foreign Relations Committee of the United States Senate reported unanimously against it and the matter was dropped.

The attempt to annex Santo Domingo In 1867 Seward sent Admiral Porter and the assistant secretary of state to Santo Domingo with authority to negotiate for the purchase of Samana bay and peninsula. The failure of the Danish treaty, however, rendered the success of this scheme unlikely and the House put an end to Seward's negotiations by overwhelmingly voting down a resolution favoring the admission of Santo Domingo as a territory with the consent of the inhabitants. General Grant, however, took the matter up shortly after the beginning of his administration and sent his secretary, Colonel Babcock, to Samana bay to report on its suitability for a coaling station. The president of Santo Domingo, finding it difficult to maintain himself in power, expressed his willingness to open negotiations for annexation and Colonel Babcock, although without diplomatic authority of any kind, promptly signed a treaty which he carried back with him to Washington.

The cabinet received the treaty in silent amazement and Secretary Fish spoke of resigning, but Grant urged him not to do so. The president finally sent the treaty to the Senate, where through the influence of Sumner it was defeated, the vote being a tie when two thirds was necessary for ratification.

In his message of December 5, 1870, the President again urged the importance of acquiring Santo Domingo, and

The breach between Sumner and Grant Congress finally agreed to send a commission to the island. The report of this commission was favorable, but it was impossible to get either a treaty or a joint resolution through Congress.

Sumner's speech against the scheme, which he ostentatiously named "Naboth's Vineyard," greatly angered Grant and was followed by the removal of Sumner from the chairmanship of the Committee on Foreign Relations and the recall of his friend Motley from London. The connection of this incident with the settlement of the "*Alabama Claims*" has already been discussed under that topic.

With the rapid increase of immigration during the two decades preceding the Civil War a number of cases of conflict arose between the American doctrine of expatriation and the European doctrine of perpetual allegiance. In 1868 Congress passed an act declaring that the right of expatriation was "a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness," and directing that naturalized citizens of the United States should receive abroad the same protection that was afforded to native citizens under the same circumstances. During the same year George Bancroft negotiated a treaty with the North German Confederation, which recognized the full effects of naturalization after a residence of five years in the country of adoption. During the next four years similar treaties were negotiated with other German states and with Great Britain, Belgium, Norway and Sweden, Austria-Hungary, Denmark, and Ecuador.

Expatriation
and natural-
ization

But troubles soon arose with those countries which required universal military service over the case of young men who emigrated to America shortly before reaching the military age and later visited the country of their birth. In these controversies the United States found it impossible to uphold the doctrine that naturalization released a man from all obligations to his former sovereign when he voluntarily placed himself again within the jurisdiction of his native state. The moral force of the American doctrine was further weakened by the acts of 1870 and 1875 restricting naturalization to "white" persons and persons of "African" nativity or descent. Under these laws Japanese, Chinese, and members of other races, not "white" or "African," have been excluded from American citizenship and thus denied the right to change their allegiance.

Immigration to the United States prior to the Civil War reached its high tide in 1854 when 427,833 foreigners reached

our shores. The numbers fell off greatly during the Civil War and it was 1873 before the figure of 1854 was again reached. There was a sudden rise in 1880 and by **Immigration** 1882 the number of immigrants reached 788,992, a figure not equaled again for twenty-one years. The stream of immigration usually flows to the relatively prosperous country and its volume is a fair gauge of economic and industrial conditions. The financial crisis of 1893 and the succeeding years of depression caused a drop by 1898 to 229,299.

Prior to 1880 three fourths of all persons who migrated to America came from the Celtic and Teutonic countries of northern and western Europe, mostly from the **Efforts to restrict immigration** United Kingdom and Germany. About 1880 the numbers from southern and eastern Europe began to increase and soon assumed formidable proportions. Owing to differences of race, religion, and standards of living, the new groups of immigrants were less easily assimilated than the old and tended to congregate in the slums of the larger cities, giving rise to problems that were new to American experience.

The restriction of immigration by legislation presents many practical difficulties. The first restrictive acts were directed against the Chinese, but in 1885 Congress prohibited the importation of laborers under contract, and various other acts have excluded convicts, prostitutes, lunatics, idiots, paupers, polygamists, and persons suffering from contagious diseases. In 1897 an act establishing a literacy test passed both houses of Congress, but was vetoed by President Cleveland.

With the American occupation of California Chinese laborers were welcomed to our shores and they played a great **Chinese exclusion** part in the development of the coast States, particularly in building the Pacific railroads. The trade in coolies, a form of peonage, was prohibited by act of Congress in 1862. By 1880 the opposition to the Chinese on

account of their lower standards of living was general among the other laboring classes of the United States, and a commission was sent to China to arrange for the restriction of Chinese immigration. The result was the treaty of 1880, by the terms of which the government of China consented to the exclusion of laborers, provided that teachers, students, merchants, and travelers should be allowed to come and go of their own free will, and that return certificates should be issued to laborers already in the United States for the purpose of allowing them to visit China. In 1882 Congress passed an act excluding Chinese laborers for a period of ten years.

The alleged fraudulent transference of the return certificates to new immigrants led Congress to suspend the privilege by the act of October 1, 1888, a measure which was not only harsh, but in violation of the treaty of 1880. In 1892 Congress passed an act extending all laws against the admission of Chinese for another period of ten years and requiring all those within the limits of the United States to procure within a year from the collectors of internal revenue certificates of residence, under penalty of deportation. In 1894 China again consented to the exclusion of laborers, provided return certificates should be issued to any laborer wishing to visit China who had a wife, child, or parent in the United States, or property therein of the value of one thousand dollars. The Chinese exclusion laws have been administered with undue severity, and overzealous officials have too frequently subjected Chinese gentlemen of culture and refinement to unnecessary hardships and indignities.

The Civil War diverted attention from the project of digging the isthmian canal contemplated by the Clayton-Bulwer treaty, and the construction of the Union Pacific Railroad rendered the enterprise for the time being of secondary importance. Attention was, however, suddenly drawn to the subject in 1878 by Colombia's concession of a right of way through

French
attempt to
dig a canal
at Panama

Panama to a French company under the presidency of Ferdinand de Lesseps, the builder of the Suez canal. The prospect of the speedy construction of a canal under French control led to a sudden and radical change of policy on the part of the United States. In a special message to Congress March 8, 1880, President Hayes declared that any canal connecting the Atlantic and Pacific oceans would be "virtually a part of the coast-line of the United States," and must be under American control.

Garfield expressed approval in his inaugural address of the policy of his predecessor, and Secretary Blaine soon began his famous correspondence with the British government for the purpose of securing modifications of the Clayton-Bulwer treaty. His argument that the United States had outgrown the treaty, and the declaration of his successor, Mr. Frelinghuysen, that it was really voidable at the pleasure of the United States, made little impression on the British government, which simply announced the intention of adhering to its rights under the treaty. President Cleveland reverted in 1885 to the policy outlined in the Clayton-Bulwer treaty, and Mr. Olney declared in 1896 that the only way to modify the stipulations of 1850 was through a direct appeal to Great Britain for a reconsideration of the whole matter. Meanwhile the failure of the French enterprise postponed the construction of the canal until after the Spanish War.

During Blaine's short tenure of the office of secretary of state in 1881 he undertook to extend the influence of the United States in Central and South America by sending out a general invitation to a conference to be held the following year in Washington "for the purpose of considering and discussing methods of preventing war between the nations of America." The continuance of the war between Chile and Peru caused a postponement of the plan, but in 1888 President Cleveland approved

Efforts to
modify the
Clayton-
Bulwer
treaty

Latin-
American
relations

an act of Congress providing for the International American Conference, which was held in Washington during the winter of 1889-1890.

When the conference assembled Blaine was again secretary of state and presided over its opening session. The delegates declared that arbitration was "a principle of American international law," and outlined a general plan for the settlement of various classes of international disputes, which their governments, however, failed to ratify.

The conference resulted, nevertheless, in the organization a few years later of the Bureau of American Republics, now housed in a beautiful building in Washington, and in the decision to hold other conferences at convenient intervals.

In 1891 the United States and Chile got into an ugly wrangle and were

Dispute with Chile

JAMES G. BLAINE.

brought to the verge of war over an attack on American sailors on shore leave at Valparaiso. President Balmaceda of Chile had tried to make himself dictator, but was overthrown by the Congressional party, and some of his adherents sought refuge in the American legation, where they were harbored by minister Egan. The populace of Valparaiso resented the action of the American minister and was further aroused against the United States by the detention of the



Itata, a vessel which left San Diego, California, with a cargo of arms for the Congressionalists. The attack upon American sailors, in which some of the crew of the *Baltimore* were killed, appeared, therefore, to be due to resentment against the official acts of their government. After considerable delay President Harrison had just laid the matter before Congress when a belated apology from Chile arrived and war was averted. The charge that the United States had interfered in behalf of one of the parties in a civil strife created an unfavorable impression throughout Latin America and counteracted to a considerable extent the good effects of the Washington conference.

In 1891 the chief of police in New Orleans was murdered by members of a secret Italian organization known as the

Lynching of Mafia. When those accused of the murder were
Italians at acquitted by the jury, as a result, it was believed,
New of threats from other members of the society,
Orleans they were seized by a mob and lynched. The
State courts failed to convict any of the lynchers and the
Italian government indignantly demanded redress. Secretary Blaine declared that the case came within the jurisdiction of the State courts and that the United States government had no right to interfere.

In the case of some Chinamen who were killed by a mob in Colorado about this time a similar reply was made to the demands of the Chinese government. Blaine's position was really untenable in international law. The United States government is responsible to the outside world for all acts of American officials, State or national. As a mark of displeasure Italy withdrew her minister from Washington, but Congress, while disclaiming all liability, finally voted an indemnity to the families of the murdered Italian citizens as an act of favor.

For more than a century after the independence of the United States was proclaimed the highest grade in the diplo-

matic service was that of minister. Ambassadors were supposed to represent the "person" of the sovereign rather than the state and it was not considered in accordance with democratic ideals to send or receive persons of ambassadorial rank. The growing importance of the United States in international affairs and the repeated recommendations of some of our representatives abroad led Congress in 1893 to authorize the higher grade, and Thomas F. Bayard was appointed as the first American ambassador to England. Our representatives to the principal European countries, to Mexico, Brazil, and Japan were subsequently raised to the new grade and the representatives of those countries to the United States were given corresponding rank.

Changes in
the diplo-
matic
service

The change was made without increase of pay or allowance for the more expensive scale on which ambassadors are expected to live, so that it has had the effect of restricting our highest diplomatic posts to men of large wealth. Notwithstanding this fact the change was probably inevitable and it has been on the whole beneficial.

During Harrison's administration attention was drawn to American interests in the Pacific. In 1878 the United States had acquired a coaling station in the Samoan islands, and in 1889 serious trouble with Germany arose over the attempt of that power to control the government of the group. England also had interests there, and the dispute was adjusted by a treaty establishing a joint protectorate of the three powers over the islands.

American
interests in
the Pacific

Early in the nineteenth century American missionaries and traders had gone to the Hawaiian Islands and their descendants, having grown wealthy and influential, favored annexation to the United States. In 1893 the American party with the connivance of the American minister and the aid of United States marines overthrew the reigning queen and established a provisional republic. A treaty providing

for the annexation of the islands was soon signed and submitted by President Harrison to the Senate. Before a vote on the treaty was taken President Cleveland came into office and a commission was sent to Hawaii to conduct an investigation. As a result the flag of the United States was hauled down and the marines withdrawn. The provisional government was strong enough, however, to prevent the restoration of the queen and in 1894 President Cleveland recognized the Republic of Hawaii. Annexation was, however, merely delayed until Dewey's victory in Manila Bay made it inevitable.

During Cleveland's first administration the dispute with Canada over the interpretation of the treaty rights of Americans to engage in the inshore fisheries became acute and a number of American vessels were seized for alleged violation of the treaty. England and the United States were unable to arrive at a satisfactory settlement of this question, but it was temporarily adjusted and the main points reserved for future arbitration.

The Bering Sea controversy About the same time the controversy over the right of Canadians to take seals in Bering Sea threatened serious trouble with England. The habits of the seal are interesting and peculiar. During the breeding season the herds occupy for a period of several months islands belonging to the United States. When the young are strong enough to put to sea the herds start on the long annual voyage out into the Pacific to return to the same breeding grounds at the proper season. The United States government could regulate the catching of seals by its own citizens both on the islands and at sea, but the question arose as to its right to prevent Canadians from taking seals beyond the three-mile limit. In other words, were the seals the property of the United States and did the American government have a right to protect them on the high seas? In 1886 some Canadian sealers were seized by the United States revenue cutters at a distance of

more than sixty miles from land and they were condemned by the district court at Sitka. President Cleveland, however, ordered their release.

The seal question was complicated by the dispute over the northeastern fisheries, and Great Britain was prevented by the state of feeling in Canada from coming to any satisfactory agreement with the United States. At the beginning of Harrison's administration seizures of Canadian sealers were renewed and Secretary Blaine undertook to defend the action on the ground that the indiscriminate killing of seals in the open sea was rapidly exterminating the herds and was therefore *contra bonos mores*, and on the further ground that Russia had exercised exclusive rights in Bering Sea and that these rights had been ceded to the United States with Alaska.

In 1892 a treaty was signed submitting the points at issue to arbitration. The tribunal which met in Paris the following year refused to recognize the claim of the United States to property right in the seals and declared that Bering Sea was a part of the high seas and not subject to the special jurisdiction of the United States. The arbitrators suggested, however, certain regulations for the protection of the seals, which were put into effect by the two governments. These regulations proving inadequate, the seals were again threatened with extermination, and after lengthy negotiations the question was adjusted on a more satisfactory basis by the treaty of 1911, to which Russia and Japan as well as England were parties.

As a result of Blaine's unsuccessful correspondence with England on the canal question the Monroe Doctrine had fallen into disrepute, when it was suddenly revived in a striking and sensational way by President Cleveland in the famous Venezuelan boundary controversy. Venezuela had never been able to get England to agree on a boundary line between her territory

The
Venezuelan
boundary
dispute

and British Guiana, and the British government had from time to time enlarged its claims. Venezuela repeatedly urged arbitration, but Great Britain refused to submit the question to third parties unless her claim to a large part of the disputed area was first recognized.

The dispute had been going on for half a century and diplomatic relations between the two countries had been severed when President Cleveland decided to take up the case for Venezuela. On July 20, 1895, Secretary Olney dispatched a note to the British government in which he reviewed the question at length, reciting the willingness of Venezuela to arbitrate and the refusal of Great Britain to do so. He claimed for the Monroe Doctrine a place in the code of international law as an American statement of the well-recognized right of a state to intervene in a dispute between other states when it considers its interests affected. He concluded by asserting that the United States regarded the controversy as one in which both its honor and its interests were involved. To this dispatch Lord Salisbury replied at length, refuting Mr. Olney's arguments and denying that the Monroe Doctrine was a principle of international law.

In a vigorous message of December 17, 1895, President Cleveland laid the correspondence before Congress, stating

President Cleveland appeals to Congress even more emphatically the interpretation of the Monroe Doctrine advanced in Mr. Olney's dispatch and asking for an appropriation for the expenses of a commission, to be appointed by the president, which should make the necessary investigation and report upon the true boundary with the least possible delay. "When such report is made and accepted," he continued, "it will, in my opinion, be the duty of the United States to resist by every means in its power, as a willful aggression upon its rights and interests, the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory which after investigation

we have determined of right belongs to Venezuela." Lest there should be doubt as to his meaning he added, "In making these recommendations I am fully alive to the responsibility incurred and keenly realize all the consequences that may follow." The public on both sides of the Atlantic was amazed and stunned. Without any but a few government officials being aware that there was any serious cause of dispute the two countries were suddenly brought to the verge of war. Congress promptly voted the appropriation and the president appointed the boundary commission.

In England surprise gave way to indignation, but before Lord Salisbury could decide upon a course of action public attention was unexpectedly drawn to another ^{War averted} quarter of the globe. Before the year was out Dr. Jameson made his unsuccessful raid into the Transvaal, and a few days later the German Emperor sent a telegram of congratulation to President Kruger. The wrath of England was diverted from America to Germany. A few days later Lord Salisbury offered to place at the disposal of the boundary commission the British records relating to Venezuela and Guiana, and before the report of the commission was completed Great Britain signed a treaty with Venezuela submitting the case to arbitration.

President Cleveland's message was the subject of much criticism both at home and abroad, but the position which he took has since been approved by most American writers on diplomacy. It turned out to be a most opportune assertion of the intention of the United States to protect the American continent from the sort of exploitation to which Africa and Asia have fallen a prey. Cleveland's bold assertion of Americanism had a clarifying effect on relations with England, whose attitude has since been uniformly friendly. In fact, before two years had elapsed Mr. Olney signed with Sir Julian Pauncefote a general arbitration treaty, which, however, was rejected by the Senate in the closing days of

the Cleveland administration, partly as a result of the president's unpopularity.

The Cuban question was nearly a century old when it again reached an acute stage toward the close of the Cleveland administration. From the days of Thomas Jefferson Americans had considered the acquisition of this important island highly desirable, but prior to the Mexican War the main object of our Cuban diplomacy was to prevent its acquisition by Great Britain or France. During this early period the United States repeatedly offered to guarantee Spain's possession provided she would not cede the island to one of the larger European powers. Lying athwart the Gulf of Mexico and controlling the outlet of the Mississippi Valley as well as the more important approaches to the proposed isthmian canal, Cuba was too important a prize to pass into the hands of a strong naval power. If we could not get it ourselves, we preferred seeing it remain in the possession of a weak power like Spain.

Between the Mexican and Civil wars the United States made several unsuccessful efforts to secure the island by purchase, while Cuban "patriots" with the aid of adventuresome Americans made repeated efforts to annex it by means of filibustering expeditions fitted out in the United States. These latter were a serious strain on peaceable relations with Spain and war appeared several times to be imminent.

After the Civil War the main object of American diplomacy was the extension of commercial relations and the protection of American interests in Cuba. In 1868 a formidable insurrection against Spanish rule broke out in the island coincident with the overthrow of the monarchy in Spain. The "Ten Years' War," from 1868 to 1878, during which a succession of governments in Spain attempted to suppress the insurgents, was characterized by great cruelty, the destruction of property, and a general disregard of the interests of foreigners, especially

"The Ten
Years'
War"

Americans. Early in the struggle President Grant wanted to extend belligerent rights to the insurgents, but was prevented from doing so by Secretary Fish.

In 1873 the *Virginius*, a vessel bearing the American flag and carrying men and military supplies for the insurgents, was captured on the high seas by a Spanish war vessel and carried into the port of Santiago, where fifty-three of the passengers and crew, including some British and a number of American citizens, were summarily executed. As neither Spain nor the United States had recognized the insurgents as belligerents, she had no right to seize the vessel outside of her own territorial waters, and the execution of Americans without the formalities of a legal trial was in open violation of treaty rights. The incident caused great excitement in the United States and for a time war seemed unavoidable, but the matter was finally settled by the payment of an indemnity and the surrender of the captured vessel.

The indefinite prolongation of the struggle in Cuba, the persistent neglect by Spain of treaty obligations, and her refusal to redress grievances combined to make intervention by the United States, either alone or in combination with other powers, the only solution that appeared at all feasible. In a note of November 5, 1875, Secretary Fish expressed himself in this sense to the Spanish government, and copies of the note were transmitted to our representatives at London, Paris, Berlin, Vienna, Rome, and St. Petersburg with instructions to sound the governments to which they were accredited with a view to securing their approval or coöperation.

Fish's management of the Cuban question

The move did not meet with success, the European cabinets refusing to lend any countenance to the American proposal for intervention. Reports of the negotiations got into the public press and Mr. Fish was severely criticized for violating the Monroe Doctrine by consulting the powers of Europe on what had been uniformly considered since the days

of John Quincy Adams and Henry Clay as a question which concerned only Spain and the United States. Congress called for a report of the negotiations, but Mr. Fish returned an evasive answer, and it was twenty years before the full correspondence was made public. The war dragged out its weary course for three more years. Finally in 1878 it was brought to a close through the exhaustion of both parties and the promise of definite reforms by Spain. The reforms were, however, not carried out in good faith and the old policy of exploiting the resources of the island for the benefit of Spaniards was continued.

In 1895 the last insurrection against Spanish rule in Cuba began, and soon developed the same features as the "Ten Years' War." The policy of Maximo Gomez, the ^{The Cuban} _{insurrection} ^{of 1895} insurrectionary chief, was to fight no pitched battles, but to keep up incessant skirmishes, to destroy sugar plantations and every other source of revenue, with the end in view of either exhausting Spain or forcing the intervention of the United States. With the opening of the second year of the struggle General Weyler arrived in Havana as governor and captain-general and immediately inaugurated his famous "reconcentration" policy. The inhabitants of the island were directed by proclamation to "reconcentrate themselves" within a week in the towns occupied by Spanish troops, under penalty, if they refused, of being treated as rebels. The majority of those who obeyed the proclamation were women and children, who, as a result of being cooped up in crowded villages under miserable sanitary conditions and without adequate food, died by the thousands.

The sympathies of the American people were greatly aroused and strengthened the demand for intervention. Numbers of persons claiming American citizenship were thrown into prison by Weyler's orders. Some of them were native Americans, but the majority were Cubans who had

sought naturalization in the United States in order to return to Cuba and claim American protection.

The Cleveland administration found it difficult to prevent the insurgents from drawing arms and supplies from the United States. Early in the struggle the president issued a proclamation calling attention to the ^{Cleveland's} policy insurrection and warning all persons within American jurisdiction against committing acts unfriendly to Spain. He consistently refused to extend belligerent rights to the insurgents, who occupied no definite territory or seacoast and had no stable government.

In February, 1896, Congress tried to force his hand by passing a resolution recognizing a state of war in Cuba and offering Spain the good offices of the United States for the establishment of Cuban independence. The president was not bound by this resolution and, although it passed both houses by overwhelming majorities, he ignored it. In his last annual message to Congress President Cleveland reviewed the Cuban question at length and declared that, if the struggle continued much longer, "a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations, which we can hardly hesitate to recognize and discharge."

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CHAPTER XXVIII

THE WAR WITH SPAIN

AFTER the passage of the Dingley Tariff the McKinley administration was occupied largely with foreign affairs.



WILLIAM MCKINLEY.

With the Cuban question rapidly

The McKinley administration

approaching a crisis John Sherman, the veteran senator from Ohio, was appointed secretary of state, not because of any fitness for the position, but in order to make a place in the Senate for Mark Hanna, McKinley's campaign manager. General Woodford was sent to Madrid to succeed Hannis Taylor and the administration began immediately to apply itself to a settlement of the Cuban question. The good offices of the United States were again tendered and Spain was

reminded of the resolution passed by Congress the year before and warned that Congress was soon to convene again. As a result of this pressure the Spanish ministry

resigned and on October 14 the liberal ministry of Sagasta assumed office. Weyler was recalled and General Blanco appointed governor and captain-general of Cuba. The new ministry promised to grant autonomy to Cuba, and President McKinley declared in his message of December 6, 1897, his intention of allowing time for the new policy to be tested.

The promise of autonomy came too late; the Cubans would no longer be satisfied with anything short of independence. On January 13, 1898, there was serious rioting in Havana as a demonstration against the autonomy scheme and Consul-General Fitzhugh Lee told his government that he doubted whether Blanco could control the situation and that it might be necessary to send warships for the protection of Americans.

As a result of this suggestion the United States battleship *Maine* was sent to Havana toward the last of January and

The blowing up of the *Maine* while she was lying quietly at anchor attention was diverted to Washington by an incident which led to the retirement of the Spanish minister,

Dupuy de Lôme. On February 9 the *New York Journal* published in facsimile a letter from the minister to a friend in Cuba which severely criticized President McKinley and contained reflections on his character. The letter was genuine, though surreptitiously acquired, and there was no satisfactory explanation which de Lôme could offer. On being notified that the immediate recall of the minister was expected, the Spanish government replied that his resignation had been tendered and accepted by cable.

Before the excitement over this incident had subsided, the battleship *Maine* was suddenly blown up at her anchorage in Havana harbor on the night of February 15 and two of her officers and 258 of her crew were killed. An American naval court of inquiry reported after a careful examination of witnesses and of the wreck that the destruction of the ship was due to a submarine mine. A Spanish board of inquiry claimed in a brief report made a few days later that

the explosion had occurred in the forward magazine of the ship. It is generally admitted that the American report was correct, but the responsibility for the mine has never been disclosed.

Notwithstanding the demands of the "yellow" press, the American people displayed great self-control until the report of the court of inquiry was made public. Then all restraint was thrown aside and the country witnessed an outburst of warlike fervor such as had not been seen since 1861. "Remember the *Maine*" became a watchword and the demand for war was overwhelming. President McKinley decided, however, before resorting to war to make one more effort at a diplomatic settlement. He proposed an armistice between Spain and the insurgents pending negotiations for a permanent adjustment through the good offices of the United States. The Spanish government refused to grant an immediate armistice, but made vague suggestions about leaving the pacification of the island to a Cuban parliament.

President McKinley regarded negotiations with Spain as closed, and announced that he had decided to refer the whole question to Congress. His message was delayed a few days at the urgent request of Consul-General Lee in order to give time for Americans to get out of Cuba, and on Sunday, April 10, he was informed by the Spanish minister that at the solicitation of the Pope the queen had decided to declare an armistice and to call a Cuban parliament. The promised concessions were ambiguously expressed and seemed too much like another play for time. The president decided, therefore, not to withhold the matter from Congress any longer.

In his message of April 11 the president reviewed the Cuban question at length and came to the conclusion that forcible intervention was the only solution, and was justified not only on grounds of humanity, but as a measure for the

protection of the lives and property of American citizens, and for the purpose of putting a stop to a conflict which was a constant menace to our peace. He referred to the *Maine* only incidentally as "a patent and impressive proof of a state of things in Cuba that is intolerable."

There was little doubt that a reference of the question to Congress meant war. The House acted with unusual

Congress demands the withdrawal of Spain from Cuba promptness, but the Senate differed from the House in wanting to recognize the Cuban republic as then organized. The House prevailed and on April 19, the anniversary of the battle of Lexington, and of the first bloodshed of the Civil

War on the streets of Baltimore, the fateful resolutions were adopted, declaring that the people of Cuba ought to be free and independent, demanding the immediate withdrawal of Spain from the island, and authorizing the president to use the land and naval forces of the United States and the militia of the several States for the purpose of carrying these resolutions into effect.

Another resolution disclaimed any intention to exercise sovereignty or control over Cuba except for its pacification, and asserted that the United States would then leave the government and control of the island to its people. These resolutions were, of course, equivalent to a declaration of war, and as soon as they were approved by the president the Spanish minister asked for his passports.

As soon as the Spanish minister withdrew from Washington, Rear-Admiral William T. Sampson, commander of the **The blockade of Cuba** North Atlantic squadron, then at Key West, was ordered to blockade the northern coast of Cuba, while Commodore Winfield Scott Schley was stationed with a "flying squadron" at Hampton Roads in readiness to protect the American coast in case the Spanish fleet aimed a blow in that direction, or to join Sampson in case it appeared in the West Indies.

The heavy fighting force of the United States consisted of four battleships of the first class, the *Indiana*, *Iowa*, *Massachusetts*, and *Oregon*; one of the second class, the *Texas*; and two armored cruisers, the *Brooklyn* and the *New York*. Spain had five armored cruisers of greater reputed speed than any of ours except the *Brooklyn* and the *New York*, one battleship of the *Indiana* type, and several destroyers, a type of which we had none. It was generally supposed that the Spanish navy was somewhat superior to the American.

On April 29 Admiral Cervera's division of the Spanish fleet left the Cape Verde Islands for the West Indies, but its destination was unknown, and there were many conjectures in the papers as to whether it would appear in Cuban waters or attack some unguarded point on the coast of the United States.

While the American people were eagerly awaiting the appearance of Cervera's squadron in American waters, they were suddenly thrilled by the news of a great naval victory in Manila Bay. When war was declared Commodore George Dewey was at Hong-Kong, where he had collected the half dozen not very formidable cruisers and gunboats on the Asiatic station. Acting under instructions which were cabled to him from Washington, he set sail for Manila Bay with the purpose of capturing or



ADMIRAL DEWEY.

destroying the Spanish fleet. During the night of April 30 he entered the south channel leading into the bay and by daybreak was off Manila, near enough to see the shipping. South of his position lying eastward from Cavité the Spanish fleet was at anchor. With his flagship, the *Olympia*, in the lead Dewey closed in on the enemy and for more than two hours kept up a continuous fire on the Spanish ships and shore batteries, inflicting great damage. At 7:35 A.M. the American fleet stood out into the bay and the men were ordered to go to breakfast. Shortly after eleven the squadron returned to complete its work and in less than an hour and a half most of the Spanish vessels were in flames. In this remarkable battle the American cruisers escaped all but slight injury and only seven men were slightly wounded. On receiving the news of this victory President McKinley appointed Dewey rear-admiral and recommended that he be promoted to the grade of admiral and receive the thanks of Congress.

In spite of Dewey's great victory his position was critical. He could have taken the city of Manila, but he did not have

Dewey's critical position at Manila the men to hold it and it was two months before reënforcements reached him. The most serious cause of embarrassment was the presence in

Manila Bay of a German squadron of five war-vessels superior in strength to Dewey's. The German commander, Admiral Diederichs, displayed open sympathy with the Spaniards, disregarded Dewey's blockade of Manila, and committed breaches of naval etiquette. Dewey finally sent his flag-lieutenant to tell him that "if he wants a fight he can have it right now." The friendly attitude of the British commander at this crisis stood Dewey in good stead, and Admiral Diederichs promptly disavowed the acts complained of. No satisfactory explanation of the German admiral's conduct has ever been given.

Dewey's victory hastened the annexation of the Hawaiian

Islands. In June, 1897, President McKinley submitted to the Senate a treaty providing for the annexation of the group, but it was found impossible to secure the consent of two thirds of the Senators. The advocates of annexation then determined to gain their end by a joint resolution and this resolution was still under consideration when the war with Spain began. Under the pressure of Dewey's position the importance of a naval station in the mid-Pacific won over many of the opponents of annexation, and the joint resolution passed the House June 15 and the Senate July 6.

Meanwhile important events were happening in American waters.

Cervera's fleet was very slow in crossing the Atlantic and much uneasiness was felt in the United States as to its destination. Sampson grew restless and moved eastward to Porto Rico with a part of his fleet with the intention of intercepting Cervera in case he made a dash for the coast of the United States or of blockading him in case he put in at San Juan. While Sampson was off Porto Rico Cervera appeared off Martinique, and learning the location of the American fleet turned southward to Curaçao. A week later he slipped unobserved into Santiago, Cuba.

As soon as news of the arrival of the Spanish fleet off Martinique was received at the Navy Department, Schley



WILLIAM T. SAMPSON.

Movements
of the
Atlantic
squadron

was dispatched with the "flying squadron" from Hampton Roads to Key West and Sampson was hastily recalled from Porto Rico. When the latter reached Key West May 18, he ordered Schley to proceed around the west end of Cuba to Cienfuegos and in case he did not find Cervera there to go on to Santiago. Schley arrived before Santiago on the 26th, a week after the arrival of Cervera's fleet, but as the auxiliary cruisers on scouting duty before that port were ignorant of Cervera's arrival Schley began the much discussed retrograde movement to Key West. Two days later, after receiving dispatches from the Navy Department indicating that Cervera was at Santiago, he returned and established a blockade. Sampson arrived June 1 and assumed command.

During the search for Cervera's fleet much uneasiness was felt for the safety of the *Oregon*, which left Bremerton, Washington, before the war was declared and was making the long journey around the Horn. She had been last heard from at Bahia, Brazil, May 9 and it was feared that she might encounter the whole Spanish fleet, but she turned up safely off the Florida coast on the 24th ready for service after a memorable voyage of fourteen thousand miles.

As soon as the Spanish fleet was blockaded in Santiago the government decided to send a military expedition to coöperate with the navy. The two hundred thousand volunteers who had responded to the call of the president in May had been kept in camps in different parts of the country. Most of the regular infantry and cavalry, together with several volunteer regiments, had been assembled at Tampa and organized as the Fifth Army Corps. The preparations made for equipping and provisioning large bodies of men were wholly inadequate. The sanitation of the camps was bad, and dysentery, malaria, and typhoid fever soon made their appearance. The administrative inefficiency of the War Department under

Secretary Alger became painfully evident when the Fifth Army Corps was sent to Santiago.

The expedition was placed under the command of Major-General William R. Shafter, who was physically unfit for military service and unable to leave his tent during the most critical period of the campaign. The force which sailed from Tampa June 14 consisted of 815 officers and 16,072 enlisted men, regulars with the exception of the Seventy-first New York, the Second Massachusetts, and the First Volunteer Cavalry of "Rough Riders," organized by Leonard Wood and Theodore Roosevelt. On the 22d this force effected a landing with great difficulty, owing to the failure to provide wharves and launches, at Daiquiri, a point a few miles east of the entrance to Santiago Bay. The next day General Lawton advanced and seized Siboney, and on the 24th General Wheeler with Young's brigade defeated a Spanish force at La Guasima. During the next week the troops suffered greatly from the heavy rains, poor rations, and bad camp accommodations.

On June 30 preparations were completed for an advance on San Juan Hill, a strategic point on the direct road to Santiago. Early next morning Lawton began Battle of San Juan Hill an attack on El Caney, a position on the right of the American advance, expecting to carry it without much resistance in time to coöperate with the main movement, but the Spaniards developed unexpected strength at this point and held him in check until the late afternoon. Meanwhile the main column had advanced slowly and with great difficulty through the thick brush and along the narrow trail leading to the San Juan blockhouse, the Spanish artillery killing numbers of men before they could get into position to return the fire.

By noon the advance had crossed the little San Juan River, the dismounted cavalry division under Sumner deploying to the right and Kent's division of infantry to the left di-

rectly in front of the blockhouse. The various regiments and brigades were, however, in great confusion and exposed to a galling rifle and artillery fire. Order had to be restored before proceeding to the final charge. As soon as the lines

could be re-formed the order to advance was given and the infantry division charged up the hill in the face of a destructive fire and captured the blockhouse, while the cavalry division drove the Spaniards from the trenches on the right. The Spaniards kept up a constant fire from the trenches nearer Santiago until noon of July 3. During the three days' fighting the American losses were 145 killed, 914 wounded, and 72 missing.

The capture of Santiago now seemed to the Spaniards merely a question of a few days,

though the Americans were by no means confident of an early conclusion of the campaign. In fact, Shafter was thinking of withdrawing his army to a safer and more sanitary position. Cervera finally decided, however, to go out and face destruction rather than to remain in Santiago Bay and surrender the fleet with the fall of the city. The American fleet had been maintaining a close blockade in expectation of such a decision.

The naval
battle of
Santiago

A black and white portrait of Winfield Scott Schley, a man with a mustache, wearing a military uniform with a peaked cap and insignia on his shoulders.

WINFIELD SCOTT SCHLEY.

Sampson believed that the Spanish fleet would make the attempt to escape at night, and on Sunday morning, July 3, a little before nine o'clock he started east on his flagship to meet General Shafter in conference at Siboney. Forty minutes later the smokestacks of the enemy's ships were sighted slowly steaming toward the narrow mouth of the bay. As the American ships with one accord closed in on them, Cervera's flagship turned west, followed by the other members of the fleet. At this point, Commodore Schley's flagship, the *Brooklyn*, suddenly turned out to sea, making a loop across the course of the *Texas*, causing the latter to reverse her engines in order to avoid a collision. His object seems to have been to leave the slower Spanish vessels to the fire of the battleships and with the cruiser *Brooklyn*, which had greater speed, to overtake those in the lead and prevent the escape of a single one. In this running fight the Spanish ships were riddled with shells and set on fire. One after another ran ashore, the last one being forced by the *Brooklyn* and *Oregon* to beach and surrender forty-five miles west of where the fight began. In this remarkable battle there were only two casualties on the American side, one man killed and one wounded, both on the *Brooklyn*.

Two weeks after the naval fight Santiago surrendered. General Miles then embarked for Porto Rico with a force of 16,000 men and in a two weeks' campaign overran most of that island with the loss of three killed and forty wounded. A large number of troops had also been sent to the Philippines. It was evident, therefore, that while the war had been undertaken for the liberation of Cuba, the United States did not feel under any obligation to confine its military operations to that island. Having met all the demands of honor, Spain asked the French government, July 18, to authorize the French ambassador at Washington to arrange with President McKinley the preliminary terms of peace.

The invasion
of Porto
Rico and the
capture of
Manila

These negotiations resulted in the protocol of August 12, in which Spain agreed to the following demands: first, the immediate evacuation of Cuba and the relinquishment of Spanish sovereignty; second, the cession of Porto Rico and one of the Ladrones by way of indemnity; and third, the occupation by the United States of "the city, bay, and harbor of Manila pending the conclusion of a treaty of peace which shall determine the control, disposition, and government of the Philippines." On the day following the signing of this protocol, and before the news reached the Philippines, American troops under General Merritt captured the city of Manila after a formal resistance, the governor-general agreeing not to use his heavy batteries provided Dewey would refrain from shelling the city.

Two controversies growing out of the war with Spain assumed such importance that they cannot be passed by.

Controversies growing out of the war The first, relating to the conduct of the War Department, was the charge made by Major-General Miles, commanding the army, that much of the

refrigerated beef furnished the troops was "embalmed beef," preserved by secret chemicals of injurious character. The commission appointed to investigate the matter made a report which did not fully sustain the charge, but the report was not convincing. In the course of the investigation Commissary-General Eagan made such an abusive attack on General Miles that he was sentenced by a court-martial to dismissal for conduct unbecoming an officer and a gentleman. Some months later the president called for Secretary Alger's resignation and Elihu Root of New York was appointed secretary of war.

The other controversy, which was waged in the papers for months, was as to whether Sampson or Schley was in command at the battle of Santiago. Finally, at the request of Schley, a naval court of inquiry was appointed in 1901 to investigate charges of inefficiency and cowardice. The

court expressed the opinion that his conduct prior to the battle of Santiago had been characterized by "vacillation, dilatoriness, and lack of enterprise." Admiral Dewey, a member of the court, differed from his colleagues, however, and in his opinion proceeded to discuss the question which was at the bottom of the whole controversy. He declared that at the battle of Santiago Schley "was in absolute command and is entitled to the credit due to such commanding officer for the glorious victory which resulted in the total destruction of the Spanish ships." This made matters worse than ever. On appeal to President Roosevelt he declared that Sampson was technically in command but that after the battle began not a ship took orders from either Sampson or Schley. "It was a captains' fight."

In pursuance of the terms of the protocol the peace commissioners met at Paris October 1. An entire month was taken up with the Cuban question, the Spanish commissioners striving in vain to saddle the <sup>The treaty
of peace</sup> Cuban debt either on the United States or on the people of Cuba. The discussion in regard to the Philippines occupied most of the next month. When President McKinley appointed the American commissioners his mind was not fully made up on this important question. His first intention seems to have been to retain the bay and city of Manila as a naval base, and probably the whole of Luzón. Public sentiment in the United States in favor of acquiring the whole group made rapid headway and after an extended trip through the South and West, during which he sounded opinion on this question, the president instructed the commissioners to demand the entire group. The commissioners were later authorized to offer \$20,000,000 for the cession. On other points the United States secured what had been demanded in the protocol, and the treaty was signed December 10, 1898.

The treaty precipitated an earnest debate in the Senate. Senator Hoar declared that the proposal to acquire and

govern the Philippine Islands was in violation of the Declaration of Independence, the Constitution, and the whole spirit of American institutions. The treaty could not be ratified without the aid of Democrats and the result was in doubt when Bryan went to Washington and advised his friends to vote for ratification, saying that the status of the Philippines could be determined in the next presidential campaign. The outbreak of hostilities between the Filipinos and the American troops occupying Manila put an end to the debate and on February 5, 1899, the treaty was ratified.

With the purchase of the Philippine Islands the United States assumed the task of governing 7,500,000 orientals **The Philippine insurrection** of alien speech and race, 600,000 of whom were Mohammedan Moros or members of wild pagan tribes. The civilized part of the population were members of the Roman Catholic Church, but for years there had been widespread opposition to the domination of the friars, who controlled most of the land, and latterly a formidable insurrection against the Spanish government which upheld the friars.

Aguinaldo, the youthful leader of the insurrection of 1896, had left the islands a few months before the beginning of the Spanish war, and shortly after the battle of Manila Bay Dewey sent one of his ships to Hong-Kong to bring him and his staff over to assist in operations against Manila. When the city surrendered, Aguinaldo and his forces were not allowed to enter, and were forced to remain outside the American lines. This situation gave rise to strained relations and when it became evident that the United States had no intention of recognizing a Filipino republic hostilities began.

On the night of February 4, 1899, some of Aguinaldo's men approached the American lines without making known their intentions and were fired upon. The conflict soon became general and the insurrection against American control

rapidly spread throughout the islands. As the Americans extended their lines out from Manila the main body of insurgents retired northward to the great plain of central Luzón. As the time of the volunteers who had enlisted for the Spanish war was up, operations were delayed until new troops could arrive. By the fall General Otis had over 30,000 men under his command and in October the forward movement began. The Filipinos were unable to check, except temporarily, the advancing columns of Generals MacArthur, Lawton, and Wheaton and by the middle of November they were driven from the plain of central Luzón and scattered among the mountains.

At the same time troops had been sent to the other principal islands and all open resistance was at an end. Contrary to the belief of the Americans, however, the Filipinos had not given up the struggle. They had merely decided to abandon the open field and to resort to guerrilla warfare. After a period of inactivity, which was necessary for the redistribution of the insurgent forces, it became evident that the insurrection had merely taken on a new form. For the next two years the struggle was waged by the Filipinos with great cruelty, treachery, and ferocity, and our troops soon learned to retaliate in kind. That murder, rape, torture, and other crimes were too frequently committed by American soldiers and by native scouts commanded by American officers was brought out after an exhaustive investigation by a Senate committee in a report of over three thousand pages.

For more than a year after the dispersion of the Filipino army the whereabouts of Aguinaldo was a matter which greatly perplexed the American commanders. Finally, in February, 1901, his hiding place was revealed through letters intercepted by Lieutenant J. D. Taylor, and General Funston with a party of Macabebe scouts disguised as insurgents succeeded in capturing him. Contrary to expec-

tations the capture of Aguinaldo had very little effect on the insurrection, which dragged on for another year and was finally suppressed only after the Americans adopted a rigid concentration policy confining the friendly inhabitants in the insurrectionary districts to the towns occupied by the troops and treating all others as enemies.

In January, 1899, President McKinley sent a commission headed by President Schurman of Cornell University to the Philippines for the purpose of assisting in the extension of American authority throughout the group. Before the members reached Manila the insurrection broke out and there was little that the commission could do beyond the preparation of an interesting and valuable report on the people, resources, and climate of the islands.

The following year another commission headed by Judge William H. Taft of Ohio was sent out for the purpose of assisting the military authorities in the work of organizing civil government. On July 4, 1901, the civil powers hitherto exercised by the military governor were by the direction of the president vested in the head of the commission, and Judge Taft was inaugurated as the first civil governor. A little later three native Filipinos were added to the commission.

By act of July 1, 1902, Congress provided a permanent government for the islands. The action of the president in appointing the commission and in creating the office of civil governor was approved and made permanent; the inhabitants of the islands were declared to be "citizens of the Philippine Islands, and as such entitled to the protection of the United States"; and certain provisions of the Constitution of the United States guaranteeing life, liberty, and property, were extended to the Filipinos. The act further provided for the ultimate creation of a legislative assembly, with the Philippine Commission as the upper house. Such an assembly was organized in 1907. As the

The establishment of civil government in the Philippines

members of the commission and upper house are appointed by the president with the consent of the Senate, the Filipinos have a very small measure of control over their own affairs and still demand autonomy or complete independence.

The annexation of Porto Rico, Hawaii, and the Philippines raised questions new to the Constitution and to American experience, which called for new solutions. President McKinley took the view that the Constitution and laws of the United States did not apply to newly acquired territory until extended by Congress; while Congress later assumed that in legislating for the new possessions it was not bound by all of the provisions of the Constitution. After two years of popular discussion as to whether "the Constitution followed the flag" the Supreme Court sustained the positions taken by the president and by Congress. In the famous "Insular Cases" five of the nine justices held that the new dependencies were not a part of the United States within the meaning of that clause of the Constitution which requires that all duties shall be uniform throughout the United States.

By act of April 30, 1900, the Hawaiian Islands were fully incorporated in the United States and given a form of territorial government like that of Arizona and New Mexico. By the Porto Rican act passed about the same time tariff duties were imposed on commerce between that island and the United States for a period of two years. The form of government prescribed for Porto Rico was of the same general type as that provided for the Philippines. Most of the real power is in the hands of a governor and executive council appointed by the president with the consent of the Senate. The dissatisfaction with the form of government has been largely overcome by the prosperity which the islanders have enjoyed under free trade with the United States.

At the time that the United States went to war with Spain China seemed on the point of being partitioned out

The status
of depend-
encies

among the powers of Europe. In November, 1897, Germany established herself at Kiao-chau; in March, 1898, Russia procured from China a lease of Port Arthur; and a little later England secured Wei-hai-wei. In addition to cessions of territory these powers acquired extensive concessions for the construction of railways and exclusive mining privileges in their respective "spheres of influence," in utter disregard of China's treaty obligations to other nations.

The movement for the partition of China was well under way when the Philippine Islands came within the grasp of the United States, and the idea that they would afford a naval base for the protection of American rights in China undoubtedly influenced President McKinley in coming to the decision to retain them.

The commerce of the United States with China at this time was second to that of England alone, and the government did not relish the idea of being excluded from the Chinese market, so John Hay as secretary of state made a clever diplomatic move, with the backing of England and Japan, to check the aggressions of Russia and Germany. In a note of September 6, 1899, he addressed the principal European powers and Japan on the subject of the "open door" in China, requesting each of them to make a formal declaration to the effect, (1) that it would not interfere with the vested interests of other powers in its sphere of influence, (2) that the existing Chinese tariff should continue in force and be collected by Chinese officials, and (3) that foreigners should not be discriminated against in the matter of port dues and railroad rates.

England and Japan were willing to bind themselves to this policy, but the other powers, while protesting in a general way their adherence to the principle, avoided making a formal declaration in the sense requested by Secretary Hay. Although not wholly successful, the move came at

The threatened partition of China

an opportune time and had a good effect. Later, however, Hay had to ask permission of Russia to send American consuls into Manchuria, which we regarded as Chinese territory.

The rapid exploitation of China naturally aroused a strong anti-foreign sentiment, and an organization formed ostensibly for the practice of athletics and known as the Society of Boxers began an indiscriminate attack on foreigners. The movement was secretly encouraged by the Empress Dowager and in many cases imperial troops united with the Boxers. Numbers of foreigners were murdered and by May, 1900, the situation of the foreign legations had become critical. About June 1 three hundred and fifty guards from foreign vessels succeeded in getting through to Peking, but the larger detachments which were to follow a few days later were defeated and driven back.

On June 20 Baron von Ketteler, the German minister, was murdered on his way to keep an appointment at the foreign office and from that date until August 14 the legations were closely besieged by a half-disciplined army of Boxers and imperial troops. The foreign powers decided to send an army to Peking to release their ministers, if alive, or avenge them, if dead. This expedition, in which 2500 American infantry and a troop of cavalry participated, had to fight its way slowly to the Chinese capital, which it reached August 14, bringing deliverance to the diplomats and missionaries, who, by fortifying themselves in the British legation, had with difficulty held back their assailants.

The Chinese government was compelled by the powers to put to death guilty officials and to pay an indemnity of over \$300,000,000. The portion assigned to the United States, \$24,000,000, was found to be greatly in excess of the claims for injuries sustained and over half of it was returned by the United States to China. The Chinese government

showed its gratitude by setting this sum aside as a fund for the education of Chinese students in America.

The war with Spain introduced a new era in American diplomacy. While the United States has always been a great exponent of civil liberty and a stanch upholder of legality in international relations, the events of 1898 brought the American government into more vital contact with some of the great problems of world polities. The acquisition of the Philippines, the dispatch of troops to China, and the appointment of delegates to the Hague Conference of 1899 caused serious misgivings in the minds of those who were wedded to the old order.

The Hague treaty establishing the permanent court of arbitration was, however, signed by the American delegates under the reservation of a formal declaration to the effect that it would not require the United States to depart from its traditional policy in regard to questions that were European on the one hand or purely American on the other. An active participation in affairs of general international interest did not lead to any weakening of the Monroe Doctrine. In fact, that principle of our foreign policy has been more frequently and broadly asserted since the Spanish War than ever before.

The so-called imperialistic policies of the Republican party had encountered bitter opposition and it was generally believed that the campaign of 1900 would be fought squarely on this issue. The Republican convention met in Philadelphia in June, nominated McKinley and Roosevelt, and indorsed all that the Republican administration had done. The Democratic convention, which met at Kansas City July 4, declared imperialism to be the paramount issue, but it nominated Bryan for the presidency and reaffirmed the faith of the party in the free coinage of silver at the ratio of 16 to 1. Bryan was also

nominated by the fusion wing of the Populist party and by the Silver Republicans.

Mark Hanna again conducted McKinley's campaign with characteristic cleverness, making use of the "full dinner-pail" as an emblem of "McKinley prosperity." The president remained at home and took little part in the canvass, while Bryan pursued his familiar method of traveling over the country and personally addressing hundreds of thousands of voters. But his record as a speech-maker was rivaled in this campaign by Theodore Roosevelt, who was determined not to be submerged by the vice-presidential nomination which had been forced upon him against his will. He made a tour through the Northern and Western States, attracting large crowds and creating enthusiasm by his aggressive manner of handling political issues. The campaign was, however, less exciting than that of 1896. Many Republicans were opposed to imperialism and lukewarm in their support of McKinley, while many Democrats refrained from voting for Bryan on account of their opposition to the free coinage of silver. McKinley carried all of the Northern and most of the Western States and had a majority of 137 votes in the electoral college.

President McKinley was inaugurated for his second term March 4, 1901, but on September 6, while attending the Pan-American Exposition at Buffalo, he was shot by an anarchist, and died on the 14th of the same month, being the third president of the United States to fall by the hand of an assassin. He had enjoyed great popularity as president and his death was universally regretted.

Theodore Roosevelt, who was thus unexpectedly called to the presidency, was the most energetic and aggressive character that had occupied that high position. In spite of his declaration on taking the oath of office that he would "continue absolutely unbroken the policy of President

Death of
McKinley
and succe-
ssion of
Roosevelt

McKinley," his attitude from the first was that of aggressive leadership, and during the next three years he broke many of the precedents of our political history. Probably no man in American public life had ever succeeded in keeping himself so constantly before the people, either in cartoon and caricature, or in photographs and sketches in the papers and magazines. His popularity soon became the despair and confusion of the Republican machine and of the Democrats alike. He had the enthusiasm and idealism of the reformer combined with unusual political astuteness, and whatever people might think of his policies his handling of public questions never failed to provoke discussion, which is the life of democracy.

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CHAPTER XXIX

AMERICA AS A WORLD POWER

WHILE foreign affairs claimed a larger share of public attention during Roosevelt's first administration than ever before, there was a notable revival of interest in ^{Roosevelt's} ~~first ad-~~ministration the problems of labor and capital which the war with Spain had temporarily thrown into the background.

The president astonished the country by intervening in a great coal strike; he alarmed the capitalistic classes by beginning an attack on trusts; he disconcerted the politicians by pushing forward the investigation of extensive public land and postal frauds, which resulted in the criminal conviction of two United States senators; he antagonized the South by inviting Booker Washington, the negro head of Tuskegee Institute, to his table at the White House and by appointing a negro postmistress in Mississippi and a negro collector at Charleston; these and many other acts were bitterly assailed, but public sentiment in the main sustained the president. Roosevelt introduced a new epoch in American polities. His appeal was always to the moral sense of the average American and he showed little regard for special interests, classes, or sections.

The general prosperity of the country during McKinley's administration and the rapid accumulation of capital greatly ^{The growth} ~~of trusts~~ accelerated industrial combinations. The trust movement dated back to 1882 when the Standard Oil Company was formed by placing the control of a number of separate companies dominated by the Rockefeller interests in the hands of a single board of trustees. This

method of coöperation for the suppression of competition was extended to the production of sugar, tobacco, and various other articles of consumption, as well as to the management of railroad and steamship lines.

In 1901 the most gigantic of all combinations was formed when the United States Steel Corporation, organized under a New Jersey charter, purchased the stock of eleven great companies which had control of three fourths of the steel industry, thus bringing under one management capital aggregating \$1,100,000,000. In his first annual message to Congress President Roosevelt began an attack on trusts and large aggregations of capital and followed it up by the successful prosecution of the Northern Securities Company in 1903. In this case a corporation organized under the laws of New Jersey by James J. Hill and J. P. Morgan, for the purpose of holding a majority of the stock of the Great Northern and the Northern Pacific railroads, was dissolved by the Federal courts as a violation of the Sherman anti-trust law of 1890. The dissolution of the holding company failed, it is true, to restore competition between the roads, but it convinced the people that competition could no longer be relied on to regulate rates, and that governmental control of some kind was necessary.



THEODORE ROOSEVELT.

The anthra-
cite coal
strike

In May, 1902, the miners in the anthracite coal region of Pennsylvania went on a strike to secure an increase in wages, a decrease in the hours of work, and the recognition of their union. The strike involved 147,000 workmen, lasted five months, and caused a general coal famine throughout the country. In October President Roosevelt invited John Mitchell, the head of the United Mine Workers of America, and the presidents of the coal-carrying railroads, which constituted the coal trust, to a conference at the White House. Mitchell offered to submit the miners' claims to an arbitration commission appointed by the president, but the railroad presidents flatly rejected this proposal and urged that Federal troops be sent into the coal fields.

Meanwhile the president was being severely criticized for taking action in a matter deemed wholly beyond his constitutional functions and for encouraging the miners by recognizing their union. As a last resort, he hurriedly sent for J. P. Morgan, the financial backer of the coal trust, and persuaded him to bring the railroad presidents to terms. They were forced to accept arbitration, the men at once returned to the mines and relieved the famine, and five months later the commission, after careful investigation, made a report which was decidedly favorable to the miners.

The American occupation of Cuba

When Congress demanded the withdrawal of Spain from Cuba in 1898, it was with the declaration that "The United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island with its people." Never has a pledge made by a nation under such circumstances been more faithfully carried out.

The administration of Cuba during the period of American military occupation was a model of its kind. General

Leonard Wood, the military governor, and his associates found things in utter confusion in most parts of the island. They established order, relieved distress, organized hospitals and charitable institutions, undertook extensive public works, reorganized the system of public schools, and put Havana, Santiago, and other cities in first-class sanitary condition. The discovery by Major Walter Reed, a surgeon in the United States army, of the fact that yellow fever is transmitted by the bite of a mosquito is regarded as one of the great achievements of modern medical science. This discovery was at once put to the test in Havana, with the result that the city was rendered free from yellow fever for the first time in one hundred and forty years. Meanwhile General Wood had summoned a constitutional convention, which in February, 1901, adopted a constitution modeled in general after that of the United States.

The new constitution failed, however, to define the future relations of Cuba with the United States. This subject was brought to the attention of the convention by General Wood, but no action was taken. The United States, however, had no intention of withdrawing from the island until a definite understanding on this vital point was reached.

A provision, known as the Platt Amendment, was therefore inserted in the army appropriation bill of March 2, 1901, directing the president to leave the control of the island to its people so soon as a government should be established under a constitution which guaranteed, (1) that the government of Cuba would never make any treaty impairing the independence of the island, (2) that it would never contract any debt which could not be met by the ordinary revenues, (3) that the United States should have the right to intervene for the protection of Cuban independence and the maintenance of a stable government, (4) that the acts of the military government during the period of American occupation should be ratified, (5) that

The Platt amendment

the government of Cuba would continue to carry out the measures adopted for the sanitation of the cities, and (6) that the United States should be granted naval stations in Cuba.

These provisions were finally agreed to and added as an appendix to the Cuban constitution. They were also embodied in a treaty with the United States. The Platt Amendment was drafted by Secretary Root shortly before the close of McKinley's administration and carefully considered by the cabinet before being imposed upon Cuba. It established a formal protectorate and converted American policy into law.

On May 20, 1902, Tomas Estrada Palma was inaugurated as **The Cuban** first president of Cuba republic and General Wood handed over the government of the island to him. No understanding was reached before the withdrawal of American troops on the subject of commercial relations between Cuba and the United States. It was of vital importance to the Cubans to have their sugar, the principal product of the island, admitted to the American market on special terms. Otherwise it could not compete with the bounty-fed beet sugar of Europe, or with the sugar of Porto Rico and Hawaii, now admitted free.

President Roosevelt urged Congress to authorize a reciprocity agreement admitting Cuban sugar at a reduced rate, but his efforts to do justice to Cuba were thwarted for two years by the beet-sugar interests of the Northwest and the cane sugar growers of Louisiana. The cause of Cuban reciprocity was delayed rather than helped by the



ELIHU ROOT.

active support of the American Sugar Refining Company, known as the "Sugar Trust," which wanted all the raw sugar it could get, and therefore favored the president's policy.

Under the reciprocity treaty which finally became law in December, 1903, trade with the United States rapidly increased, but the Cubans had not learned the primary lesson of democracy — submission to the will of the majority. Shortly after the reëlection of President Palma in 1906 a serious insurrectionary movement began which had for its object the overthrow of his government. The United States finally had to send troops to Cuba and proclaim a provisional government. The second period of American occupation lasted a little over two years, when the control of the government was again restored to the people of the island with the warning from President Roosevelt that it was "absolutely out of the question that the island should continue independent" if the "insurrectionary habit" should become "confirmed."

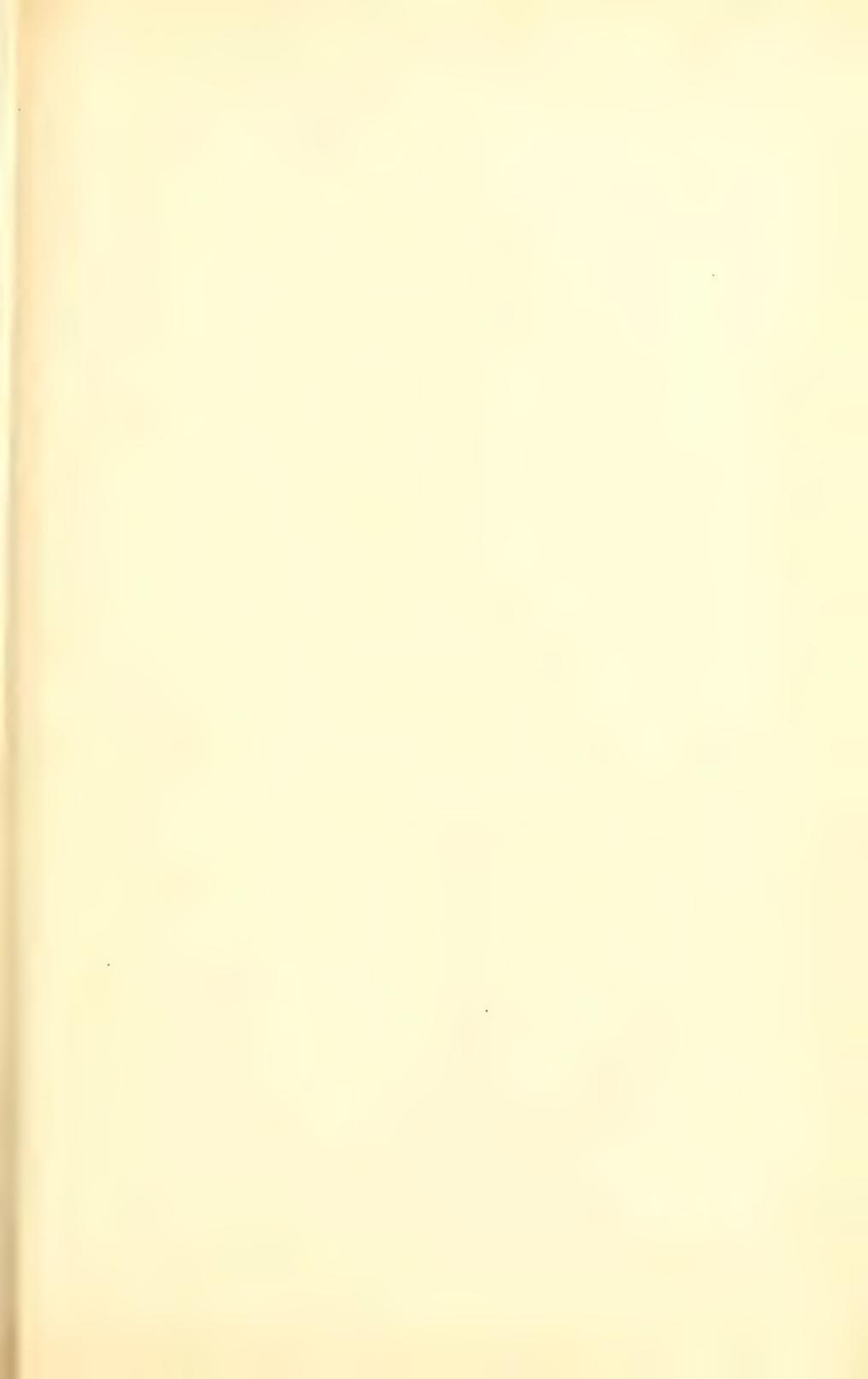
In December, 1902, Germany, England, and Italy blockaded the coast of Venezuela for the purpose of forcing the government of President Castro to pay interest on bonds and other debts due their subjects. Through the mediation of the American minister, Herbert W. Bowen, Venezuela agreed to submit the claims to arbitration, and this proposal was accepted by England and Italy. Germany, however, refused to arbitrate until President Roosevelt threatened to send the entire Atlantic fleet, which had been collected at Porto Rico under Admiral Dewey, to Venezuela to prevent any further action by the German navy. As soon as Germany was convinced that the United States would fight to maintain the Monroe Doctrine, she agreed to arbitrate, being influenced, no doubt, by the fact that England was satisfied with the recognition of her claims and showed no desire to push matters further.

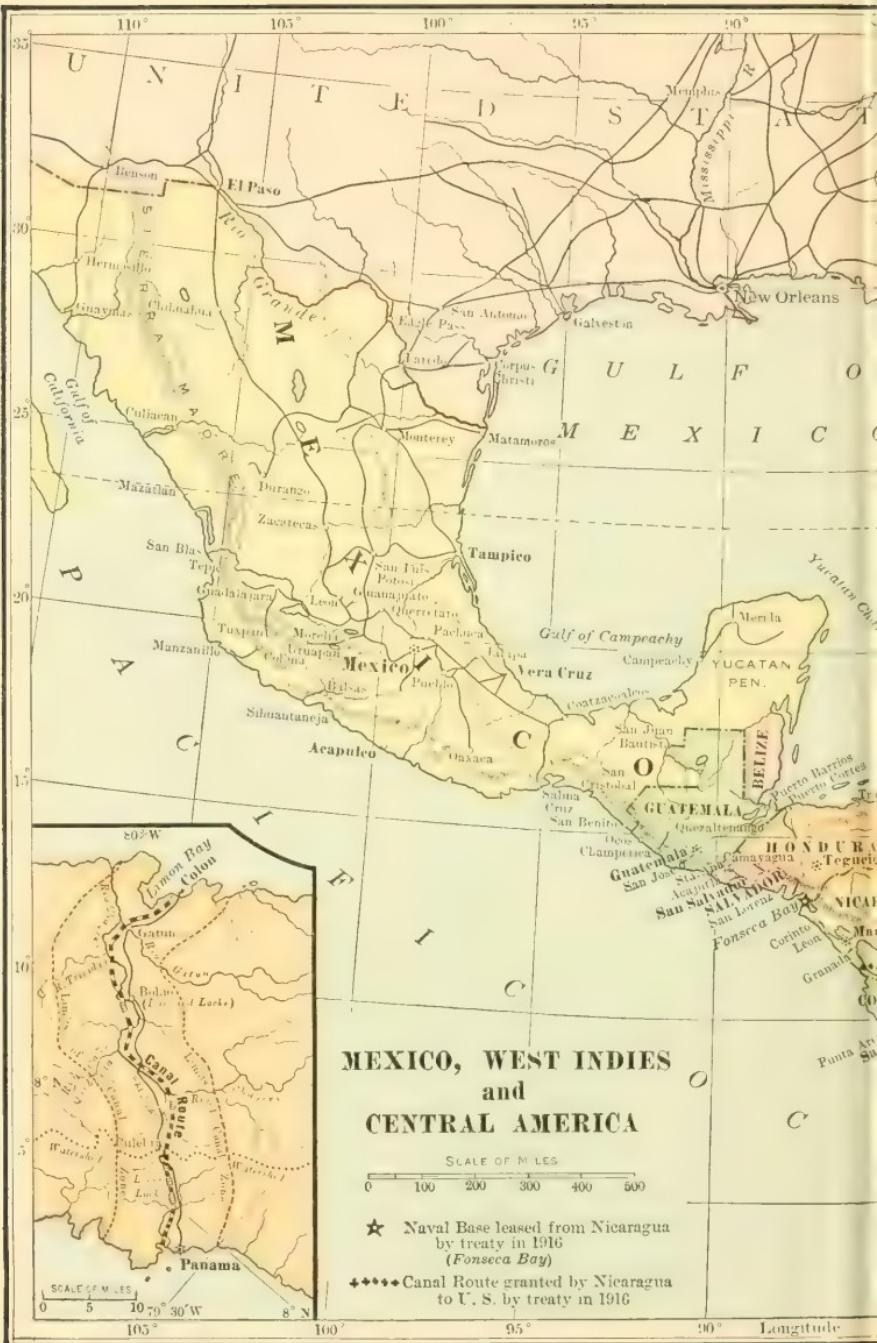
The Monroe
Doctrine
put to the
test

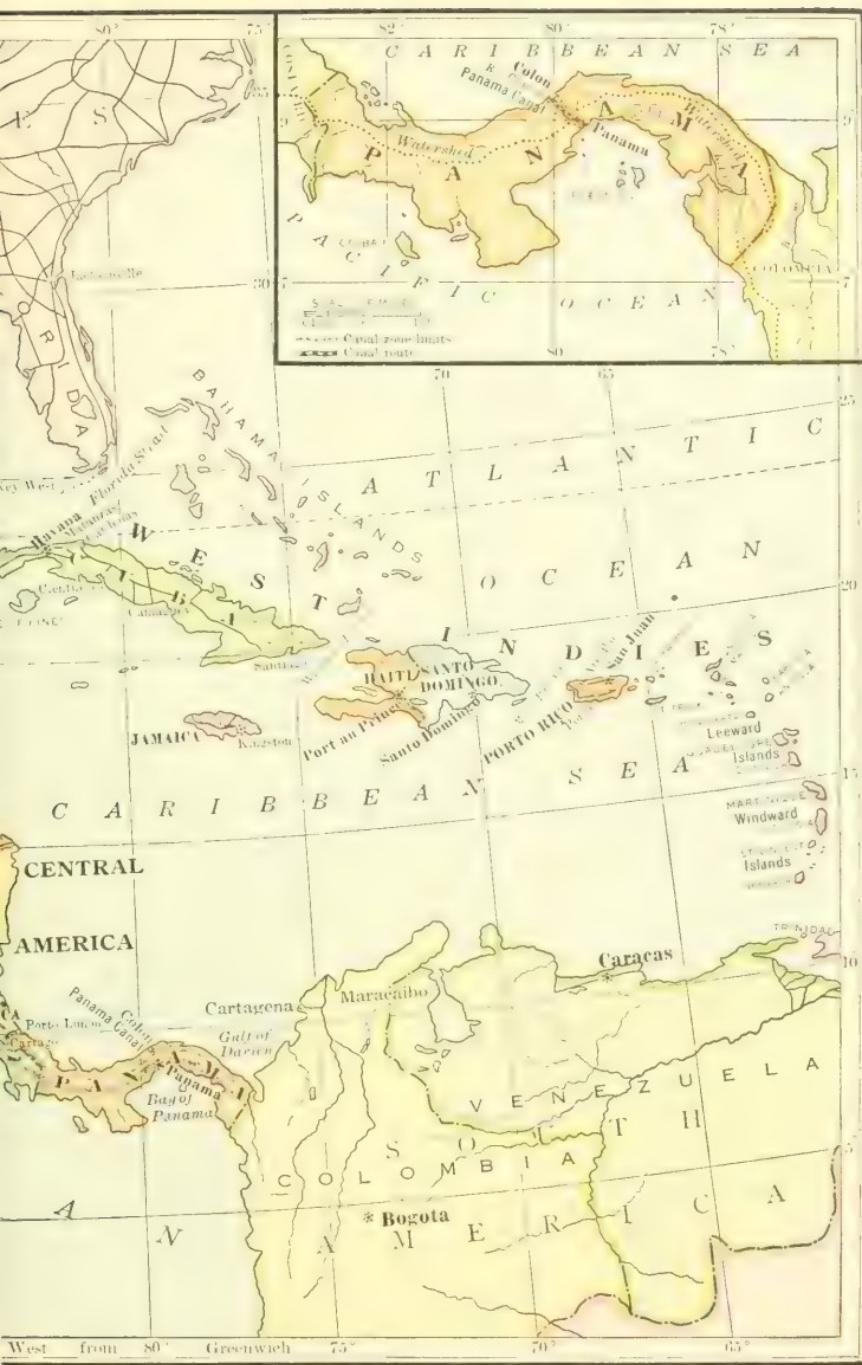
President Roosevelt's experience in the Venezuelan affair led him to the conclusion that if the United States wished to prevent European intervention in Latin-American states, it must make those states behave themselves. In his annual message of December 6, 1904, he announced his new policy to the world in these words: "Any country whose people conduct themselves well can count upon our hearty friendship. If a nation shows that it knows how to act with reasonable efficiency and decency in social and political matters, if it keeps order and pays its obligations, it need fear no interference from the United States. Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nation, and, in the western hemisphere, the adherence of the United States to the Monroe Doctrine may force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence to the exercise of an international police power." This announcement of what became popularly known as the "big-stick" policy raised a storm of criticism and ridicule both at home and abroad, but the president was about to give the world an example of its practical application.

For several months prior to the above announcement, it had been evident that the Dominican Republic was hopelessly bankrupt. Certain European powers were discussing the question of seizing the custom-houses and paying the interest due their subjects. In order to prevent what, in view of the enormous size of the debt, promised to be the occupation of American territory by European powers for an indefinite period, President Roosevelt proposed that the United States should take charge of Dominican customs. In February, 1905, a treaty was concluded with the Dominican Republic by which it was agreed that a receiver of customs

**Financial
supervision
of the
Dominican
Republic**







appointed by the president of the United States and backed by the American navy should administer the finances of the republic, using a certain percentage of the customs receipts to meet the foreign obligations and setting aside a certain percentage for the support of the government.

The president's policy met with determined opposition in the Senate, but he persisted in his course and finally carried his point. American supervision of Dominican customs proved so successful that President Taft negotiated treaties extending the same sort of financial supervision to Nicaragua and Honduras, which the Senate, however, refused to ratify, and President Wilson carried the same policy much further in the treaty with Hayti, which was ratified in 1916.

The United States not only took a prominent part in establishing the Permanent Court of Arbitration at the Hague, but had the honor of appearing before it **The Hague** in 1902 as the first litigant in the case of the United **Court** *States v. Mexico* in the matter of the Pious Fund of the Californias. This case involved a trust fund raised by the Jesuits in the seventeenth century for the conversion of the California Indians. After the purchase of Upper California by the United States in 1848, the Mexican government as administrator of the fund refused to pay any part of it to the Catholic bishops of that State. The Hague Court decided that they were entitled to their share, confirming a decision rendered by a mixed commission in 1868. To President Roosevelt was also due the submission of the second case to the Hague Court, for he suggested that tribunal as the proper body to decide an important question arising out of the intervention of Germany, England, and Italy in Venezuela in 1902.

The Hague Convention did not bind any power to submit any dispute to arbitration. Resort to the court was purely optional, but in 1903 and 1904 a number of European powers

concluded treaties binding each other to submit to arbitration disputes involving points of law or the interpretation of treaties. Secretary Hay negotiated similar treaties with France, England, Germany, and a number of other powers, but the Senate amended them in such a way as to prevent the president from submitting any dispute to arbitration without the consent of that body. President Roosevelt regarded this action as nullifying the compulsory feature of the treaties and did not refer them back to the other powers. The second Peace Conference, which met at the Hague in 1907 and laid before the powers important codifications of international law, was proposed by President Roosevelt, though the call was actually issued by the Czar of Russia, who had called the first conference.

The discovery of gold in the Klondike in 1897 led to a serious dispute between American and Canadian officials over the Alaskan boundary, a large part of which had never been surveyed. The shortest and quickest route to the gold-bearing region was by trails leading up from Dyea and Skagway on the headwaters of Lynn Canal. These and other hitherto insignificant points soon became important places and were claimed by the Canadians. The Anglo-American joint high commission which met at Quebec in 1898 failed to arrive at an agreement on this question and the American government became aware for the first time of the sweeping character of the Canadian claims. The question hinged on the interpretation of the Anglo-Russian treaty of 1825, for the United States acquired in 1867 whatever rights were confirmed to Russia by that treaty.

While the language of the Anglo-Russian treaty was vague and indefinite, the United States claimed that the intention of the treaty was to give Russia a long strip of land wide enough to cover the heads of all bays, inlets, and arms of the sea, and to shut England out from deep water

north of parallel fifty-four forty. In fact, the correspondence of the British negotiator in 1825 shows that he tried to secure a deep-water outlet and failed.

President Roosevelt was not willing to arbitrate in the ordinary way rights which seemed so clear. He agreed, however, to submit the question to a commission composed of three Americans, two Canadians, and Lord Alverstone, chief justice of England. If Lord Alverstone decided with the American members of the commission, the United States would win; if he decided with the Canadians there would be no decision. He did decide with the Americans and the two Canadians dissented. The deep-water outlets were all awarded to the United States, though the boundary line was drawn nearer to the coast than the Americans had claimed. The Canadians were much disappointed and it was charged that Lord Alverstone had sacrificed their interests in order to advance the British policy of friendly relations with the United States.

The storm center of Roosevelt's first administration was the Panama Canal. The voyage of the *Oregon* around the Horn during the war with Spain impressed upon the American people, as nothing else could do, the importance of an isthmian canal from a naval point of view. When President McKinley, at the close of the war, applied himself to the question, his first task was to secure a modification of the Clayton-Bulwer treaty. Lord Pauncefote, the British ambassador, met Secretary Hay halfway in his negotiations, and a treaty signed February 5, 1900, authorized the United States to construct and assume the management of the canal, either directly or through a company, but retained the principle of neutralization and adopted a set of rules which were substantially the same as those of the Constantinople Convention governing the Suez Canal. This treaty was so amended by the United States Senate as to render it unacceptable to the British government.

The Hay-
Pauncefote
treaty

After the lapse of a year a new agreement was submitted to the Senate by President Roosevelt and ratified December 16, 1901. The new Hay-Pauncefote treaty abrogated in express terms the Clayton-Bulwer convention and provided that the United States might construct a canal under its direct auspices to be under its exclusive management. The principle of neutralization was nominally retained, but under the sole guarantee of the United States with power to police the canal, and the clause of the first draft forbidding fortifications was omitted.

The next question to be determined was the choice of a route. American engineers had almost all favored the

**The choice
of a canal
route** Nicaragua route and a commission headed by Admiral John G. Walker, after a series of investigations covering two years and costing over \$1,000,000, reported November 16, 1901, in favor of that route. On January 9, 1902, the Hepburn Bill providing for the construction of a canal through Nicaragua passed the House by the almost unanimous vote of 308 to 2.

The report of the commission had meanwhile created a crisis in the affairs of the New Panama Canal Company of France, whose property and interests on the isthmus, which it estimated at \$109,000,000, would be worthless unless it could sell out to the United States. Early in January the French company made by cable an offer to sell at \$40,000,000 and on January 18 the Walker commission revised its report and recommended to the president the adoption of the Panama route instead of that through Nicaragua.

Under these circumstances, instead of passing the Hepburn Bill, the Senate adopted the Spooner amendment, which directed the president to acquire the rights and property of the Panama Canal Company at a cost not exceeding \$40,000,000; to acquire from the Republic of Colombia the right of way through Panama; and as soon as these rights were acquired to proceed to construct a canal; but should

he be unable to secure a satisfactory title to the property of the French company, and the necessary right of way from Colombia "within a reasonable time and upon reasonable terms," then he was instructed to secure a right of way through Nicaragua and to proceed to build a canal at that point.

The House finally concurred in the Spooner amendment, Attorney-General Knox reported that the French company could give a clear title, and on January 22, 1903, ^{The Panama} Secretary Hay signed with Mr. Herran, the Colombian representative in Washington, a treaty by the terms of which the United States agreed to pay Colombia \$10,000,000 cash and an annuity of \$250,000 for the lease of a strip of land six miles wide across the isthmus. This treaty was ratified by the United States Senate, but rejected by the Colombian Senate, August 12, 1903, by unanimous vote.

The advocates of the Nicaragua route now began to take courage and to demand that, as "the reasonable time" allowed in the Spooner act for the president to acquire a right of way through Panama had expired, it was his duty to turn to Nicaragua. Had things continued in this situation until the meeting of Congress in December, President Roosevelt would undoubtedly have been forced to adopt the Nicaragua route; this he was determined not to do.

On November 3 the people of Panama rose in revolt against Colombia and declared themselves independent. United States marines were immediately landed on the isthmus with instructions from the president to prevent the landing of Colombian troops within fifty miles of Panama. About a week later the Republic of Panama was formally recognized as an independent state.

Such hasty recognition of a new republic was without precedent in the annals of American diplomacy and naturally confirmed the rumors that the whole affair had been prearranged. The president promptly negotiated a treaty with

the Panama Republic by which the United States agreed to pay \$10,000,000 and an annual sum of \$250,000 for the lease of a zone of land ten miles wide across the isthmus. In submitting this treaty to the Senate the president declared, in justification of his course, that Colombia was not entitled "to bar the transit of the world's traffic across the isthmus" and that the intervention of the United States was justified by our rights under the treaty of 1846, by our national interests, and by the interests of collective civilization.

Several years later Mr. Roosevelt, in a public speech, said : "If I had followed traditional conservative methods I should have submitted a dignified state paper of probably two hundred pages to the Congress and the debate would be going on yet, but I took the Canal zone and let Congress debate, and while the debate goes on the canal does also." The Panama episode created strained relations with Colombia and made a bad impression throughout Latin-America. The United States has since been eyed with suspicion by its weaker southern neighbors. The construction of the canal was finally placed in the hands of General Goethals and a corps of army engineers, and it was opened to commerce August 15, 1914, though it was not completed at that time and traffic was subsequently interrupted by landslides.

Although President Roosevelt was immensely popular with the rank and file of his party, the Republican leaders would have been glad to nominate some one else if they had dared to do so. After the death of Senator Hanna in February, 1904, there was no remaining thought of opposition and the Republican National Convention, which met at Chicago in June, unanimously nominated Roosevelt. The party platform contained nothing new or startling, but challenged a vote of confidence from the people upon Roosevelt's record.

The Democratic Convention, which met at St. Louis in

July, was dominated by David B. Hill and the advocates of a return to "safe and sane democracy." Judge Alton B. Parker, of New York, was tendered the nomination. As the Democratic platform was silent on the money question, Judge Parker declared in a telegram to the convention that he regarded the gold standard as firmly and irrevocably established, and if his view should prove to be unsatisfactory to the majority he should have to decline the nomination. On receipt of this telegram there was great excitement and futile talk of revising the platform or of choosing another candidate. Judge Parker proved to be a man of good sense, but thoroughly conservative and without initiative when aggressive leadership was needed.

Toward the close of the campaign Parker made several speeches in New York, in which he called attention to the fact that Cortelyou had resigned the position as secretary of commerce and labor in order to become chairman of the Republican campaign committee, and he charged that he was using information he had acquired as a member of the cabinet for the purpose of collecting campaign funds from corporations. To this charge Cortelyou made no reply, but three days before the election President Roosevelt issued a signed statement in which he declared: "The statements made by Mr. Parker are unqualifiedly and atrociously false."

Subsequent revelations as to the amounts contributed by corporations to the Republican fund left no doubt as to the effectiveness of Cortelyou's methods, whatever may be thought of his motives. Roosevelt was elected by the largest popular vote and the largest popular majority ever recorded for any president. He carried even Missouri, while Parker did not carry any state outside the South.

The reform movement, which had been gathering strength for several years, reached its high water mark shortly after the beginning of Roosevelt's second term in the White

House. The public exposures of the Standard Oil and other trusts had convinced the people that many large fortunes had been accumulated fraudulently and that there was a large group of capitalists who were systematically exploiting the public.

The high tide of reform As a result of charges made during the campaign against the great corporations in New York, a committee of the legislature of that State was appointed to investigate the management of life insurance companies. This committee, of which Charles E. Hughes was counsel, soon uncovered an almost incredible state of corruption in the Wall Street circles of high finance. The testimony showed that the insurance companies, like other corporations, were in the habit of making heavy campaign contributions. The temper of the people was shown by the fact that Hughes, who had conducted the investigations, was elected governor of New York in 1906 and again in 1908 without reference to the wishes of the Republican machine.

The reform movement was strong in the cities and several municipal revolutions were brought about. Exposure became the order of the day and the public eagerly read the daily papers, weeklies, and monthlies, which devoted their columns to laying bare corruption and fraud in State and national government or in business enterprises which affected the public. The exposure of the meat packers by a clever novelist led to direct legislation by Congress providing for the inspection of meats at the slaughter houses and had great influence in hastening legislation for insuring purity in foods and drugs. In 1906 Congress passed the Hepburn Railway Bill, giving the Interstate Commerce Commission power to fix rates and to prescribe uniform methods of book-keeping for the roads. This bill also prohibited the granting of passes to any but railroad employees, thus putting an end to a notorious abuse of long standing.

While many of the newspapers and magazines were per-

feetly sincere in their efforts at reform, others were less scrupulous, and their attacks were prompted purely by the desire for sensationalism or by hope of blackmail. President Roosevelt tried to check the more radical agitators by comparing them to Bunyan's man with the muck-rake, and the term "muck-rakers" soon came into general use.

The indiscriminate attack on big business and "predatory wealth" undoubtedly reacted on the credit conditions of the country and led to financial disturbances in ^{The crisis of 1907} the fall of 1907, which threatened to become very serious. A number of banks failed and the financial leaders became alarmed. They claimed that the president's attack on trusts, the passage of new laws, and the enforcement of the pure food regulations had brought about the panic. Their attack on the Roosevelt policies merely convinced the people that the president was right and that it was time for big business to be brought under public control.

One of President Roosevelt's greatest services to the nation was undoubtedly the movement to conserve the natural resources. Not only had a large part of the public lands been granted out to corporations, but private interests had also secured control of most of the coal, lumber, and water rights. In 1902 Congress passed the Newlands Bill, which began the great work of national irrigation. The act provided that all moneys received from the sale of public lands in certain western States be set aside as a special fund in the treasury, to be known as the "reclamation fund," to be used for the construction and maintenance of irrigation works. In order to prevent private appropriation of water rights in localities suited for irrigation, about 43,000,000 acres of land were withdrawn and reserved for homesteads after the completion of the irrigation projects.

Under the operation of this act millions of acres of land will be brought under cultivation and provide homes for

hundreds of thousands of Americans. In 1908 President Roosevelt invited the governors of all the States to a conference at the White House, at which they were urged to coöperate with the national government in the great work of conservation.

In the field of diplomacy the most important events of Roosevelt's second administration were connected with the **The Russo-Japanese War**. As has already been stated, Secretary Hay's efforts to maintain the open door in Manchuria were not entirely successful. Russia continued her encroachments, and in 1904 Japan finally delivered an ultimatum which resulted in war. Throughout the remarkable contest that followed the sympathies of the American people were mainly with Japan. Japan won a series of brilliant naval and military victories, but her resources were finally at the point of exhaustion, and at the suggestion of the Japanese Emperor, as we now know, President Roosevelt intervened and urged the two powers to bring the war to a close.

The peace commissioners of Russia and Japan met at Portsmouth, New Hampshire, in the summer of 1905. The Japanese commissioners had been instructed to demand a large war indemnity; this Russia refused to grant, and President Roosevelt advised the Japanese negotiators to give up the demand. When the terms of the treaty of Portsmouth reached Tokyo, there was rioting in the streets of the capital and great indignation against the government for making what were considered unfavorable terms. The commissioners put all the blame on President Roosevelt, so that public opinion in Japan was thoroughly aroused against the United States.

In October, 1906, the American public suddenly became aware of the fact that an active anti-Japanese agitation was in progress in California. The San Francisco Board of Education passed a resolution directing all Japanese, Chinese,

and Korean children to be sent to an Oriental public school specially provided for them. The Japanese government was quick to resent this action, and its ambassador demanded that Japanese residents of California be protected in the full enjoyment of their treaty rights. President Roosevelt directed the district attorney to assist the Japanese in their efforts to have their rights vindicated by the courts.

The
Japanese in
California

The incident created great interest throughout the country and raised the question as to whether the United States had the power to make a treaty that would override the laws of a State. The question was temporarily adjusted by the agreement of the Japanese government not to issue passports to Japanese laborers desiring to come to the United States. The San Francisco School Board thereupon agreed to admit Japanese children to the ordinary schools under certain conditions of age and ability to use the English language.

The real difficulty with the Japanese question is that the Japanese people feel that they have made good as a nation and are entitled to full recognition as a civilized people, while the laws of the United States admit to naturalization only white persons and persons of African descent or nativity. Congress could at any time pass a law admitting the Japanese to naturalization, which would probably fully satisfy the Japanese government, but the feeling against such a measure is so intense on the Pacific coast that Congress is never likely to pass such an act. Japanese resentment of the school incident was so great that the press of both the Orient and America was filled with predictions of war and there were frequent reports that Japan was preparing to seize the Philippines.

President Roosevelt was so greatly annoyed at the attitude of Japan that in the autumn of 1907 he decided to send a great American fleet on a voyage around the world and to

have it visit Japanese waters. The fleet left Hampton Roads in 1907, made the long voyage around the Horn and across the Pacific, was received with marked courtesy by the Japanese government, and returned to America without any untoward incident.

President Roosevelt had announced upon several occasions that he would not be a candidate for a third term, as he regarded his first term in all essentials the equivalent of 1908 of a regular term. As the policies which he had developed and advocated in his characteristic way during his second term were still on trial, the important question was who should be selected to carry them out. The names of Root, Taft, and Hughes naturally suggested themselves in this connection. As secretary of war and later as secretary of state Elihu Root had made a great record and had impressed the country as being the ablest man in the cabinets of both McKinley and Roosevelt. William H. Taft had had long experience as United States circuit judge, had served with distinction as civil governor of the Philippines, and as secretary of war was in charge of the construction of the Panama Canal; apparently no man had ever had a better training for the presidency and, moreover, Taft possessed a degree of personal popularity which Root lacked. Charles E. Hughes as governor of New York was more actively identified with politics and was regarded as a reformer.

Some time before the opening of the campaign Roosevelt let it be known that Taft was his choice and he employed all the influence of his administration in securing Taft delegates to the Republican National Convention. When that body met at Chicago Taft was nominated on the first ballot, and a platform indorsing the Roosevelt policies was adopted. The Democratic National Convention met at Denver and for the third time nominated William J. Bryan for the presidency. The Democrats claimed that Roosevelt had adopted most of the Bryan policies, that Bryan could

no longer be regarded as a radical, and as the platforms of the two parties did not differ essentially the voters were left to choose between the two candidates. Taft was elected by a large popular majority and received 321 electoral votes to Bryan's 162.

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CHAPTER XXX

THE NEW DEMOCRACY

ROOSEVELT had been keenly alive to the new social and economic conditions created by modern industrialism, and *The Taft administration* he had caught the new spirit of democracy that had arisen in the West and was sweeping over the country. He tried earnestly to make the Republican party progressive, but he did not succeed in divorcing it from its alliance with big business. Taft was at heart a conservative and the business interests were quick to seize the opportunity to sidetrack the Roosevelt policies. Before the close of his administration President Taft had a divided party on his hands and the way was open for the return of the Democratic party to power.

The trouble in the Republican party began over the tariff. Dissatisfaction with the Dingley rates had developed in the Middle West during Roosevelt's first administration. He had seemed for a time to encourage the movement for tariff



WILLIAM H. TAFT.

revision, but during his second administration he succeeded in avoiding the issue. The Republican platform of 1908, however, pledged the party to tariff revision, and shortly after his inauguration President Taft called a special session of Congress for the consideration of this question.

A bill introduced into the House by Representative Payne reduced the Dingley rates, but in the Senate, when it came into the hands of Senator Aldrich, it was so amended as to increase the amount of protection. President Taft succeeded in getting the conference committee to make a few reductions and to insert a provision levying an income tax on corporations, and he also proposed as part of the agreement a constitutional amendment providing for a general income tax. The measure caused a split in the Republican party, seven Republican senators and twenty Republican representatives voting against it. The tariff had been revised upward instead of downward, and when President Taft in a speech at Winona, Minnesota, claimed that the Payne-Aldrich Bill was a fulfillment of the party pledge, the revisionists received the statement with open ridicule.

The serious nature of the split in the Republican party became evident as a result of dissensions in the department of agriculture and in the department of the interior. In the fall of 1909 a controversy arose between Dr. H. W. Wiley, who had charge of the enforcement of the pure food laws, and his chief, Secretary Wilson. The public became convinced that Dr. Wiley's efforts to enforce the law were not properly backed by the administration. About the same time a subordinate in the department of the interior made public charges against Secretary Ballinger, claiming that his administration of the forestry laws was marked by favoritism and lack of zeal for the policies inaugurated by Roosevelt. Gifford Pinchot, head of the bureau of forestry and an intimate personal friend of

The Payne-Aldrich tariff

The In-surgents

Roosevelt, became involved in the controversy and in January, 1910, the president dismissed him from office.

Congress appointed a committee to investigate the charges against Ballinger, and although he was nominally vindicated the public became convinced that the Taft administration was not carrying out in good faith the Roosevelt policies. Taft held such moderate views as to the constitutional powers of the presidency as compared with Roosevelt that he appeared to the public to have fallen into the hands of the "stand-pat" wing of his party. Those Republicans who revolted against the reactionary tendencies of their party became known as "Insurgents." The leaders of this movement were Senators La Follette and Cummins, both of whom aspired to the presidency.

In the House of Representatives the chief of the "stand-patters" was Speaker Cannon, who exercised more despotic sway than had ever been dreamed of even by "Czar" Reed in the days of Harrison and McKinley. In March, 1910, the insurgents united with the Democratic minority and changed the rules so as to deprive the speaker of his most important powers.

In the elections of 1910 the Democrats carried a majority of the House of Representatives and elected governors in **Democratic victories** Massachusetts, Connecticut, New York, New Jersey, and Indiana. When the next Congress convened, Champ Clark of Missouri was elected speaker and Oscar Underwood of Alabama was made chairman of the Ways and Means Committee. Both were candidates for the Democratic nomination for the presidency and eager to make a record. The new House passed several tariff measures, ignoring the reports of the board appointed by President Taft in 1909 for the scientific revision of the tariff. These measures passed the Senate with the aid of the insurgents, but were vetoed.

In January, 1911, the president concluded a reciprocity

agreement with Canada as a part of the tariff program. The Democrats of the House aided in passing this measure, as they considered any reduction of the Canadian reciprocity Payne-Aldrich rates a good thing. The insurgents opposed it, as they considered it injurious to American farming interests. The president succeeded in forcing it through the Senate, after revealing more fully than ever the serious split in the Republican party, but the measure was finally defeated by the overthrow of the Liberal party in Canada, which was caused in part by the charge that the Liberals favored ultimate annexation to the United States.

It fell to President Taft's lot to fill more vacancies on the Supreme Bench than any other president had ever been called upon to fill in one term. He appointed Justice White chief justice in 1910, and later he appointed five new justices. While his appointees were all men of high character and professional standing, it was felt in some quarters that they were men who would take a conservative view of the great social and economic questions that were agitating the country.

The Taft administration kept up the prosecution of the trusts under the Sherman law, which had been renewed under Roosevelt. In the Trans-Missouri Case in 1897 the Supreme Court had decided in effect that all combinations in restraint of trade, whether reasonable or unreasonable, were contrary to the Sherman Anti-Trust law. In 1911, in cases against the Standard Oil Company and the American Tobacco Company, the Court ordered the dissolution of these combinations, but Chief Justice White in delivering the opinion of the Court said that by restraint the statute meant "undue" restraint of trade, thus introducing the element of "reasonableness." These companies were dissolved, but big business was reassured by the new doctrine laid down by the Court.

The foreign policy of the Taft administration was not

particularly striking. Philander C. Knox, a successful corporation lawyer of Pittsburg, had not had the kind of training or experience to fit him for the position of secretary of state. By his "dollar diplomacy" he undertook to advance American financial enterprises in Latin-America. His proposal to neutralize the railroads of Manchuria, at that time a bone of contention between Russia and Japan, by organizing foreign syndicates to purchase and control them, antagonized both of those countries and further aroused anti-American sentiment in Japan. Personally President Taft devoted much time and thought to the promotion of international arbitration. Under his direction a number of treaties providing for the compulsory arbitration of all "justiciable" disputes were negotiated, but the United States Senate amended them so radically as to render them unacceptable either to the administration or to the foreign powers with whom they had been signed.

Notwithstanding the defeat of many administration measures, President Taft's term witnessed the passage of a number of important acts. An act passed in June, 1910, provided for the establishment of a system of postal savings banks, and a bill establishing a parcels post, introduced by a Democrat, David J. Lewis of Maryland, and favored by President Taft, was finally enacted into law August 24, 1912, thus overcoming at last the long and bitter opposition which the express companies had corruptly maintained against this important extension of the post office department.

The income tax amendment, proposed by President Taft in 1909, having been ratified by the necessary number of states, was proclaimed as the Sixteenth Amendment in February, 1913. The Seventeenth Amendment, providing for the direct election of United States senators by the people, which had

Taft's
foreign
policy

The close of
Taft's ad-
ministration

Sixteenth
and Seven-
teenth
amendments

passed the House half a dozen times within the preceding twenty years, was finally adopted by the Senate in 1911 and submitted to the States. Having received the necessary number of ratifications, it was proclaimed May 31, 1913, shortly after the beginning of Wilson's administration.

During the twenty years preceding the election of 1912 there had been repeated expressions of dissatisfaction with representative government, and many new forms of democracy had made their appearance. The initiative and referendum in legislation were adopted by South Dakota in 1896, by Utah in 1900, by Oregon in 1902, by Montana in 1906, by Oklahoma in 1907, by Missouri and Maine in 1908, by Arkansas and Colorado in 1910, by Arizona and California in 1911, and in 1912 by Washington, Nebraska, Idaho, and Ohio. The recall of elective officers, adopted by Los Angeles in 1903 and Seattle in 1906, was widely advocated throughout the West, and the proposal was made to extend it to judges of State courts. The movement for greater popular control over party machinery found expression in the enactment of a State-wide primary law by Wisconsin in 1903, by Oregon in 1904, and by Illinois in 1905.

Changes in
representa-
tive govern-
ment

The commission form of city government, doing away with the familiar city council and placing municipal affairs in the hands of a small board of administrative officers, was first adopted by the city of Galveston after the destructive tidal wave of 1904, to meet a temporary emergency, but proved so satisfactory that it was continued as a permanent form of city government. The same type of city government, with varying modifications, was later adopted by Des Moines, Iowa, and other cities.

The appearance of these new institutions of democracy was due to a deep-seated distrust on the part of the people of State legislatures, party organizations, and city councils. The cause of woman suffrage made great headway during

this period and became a subject of national agitation. Women were given the vote first by Wyoming in 1890, then by Colorado in 1893, by Utah and Idaho in 1896, by Washington in 1910, and within the next four years by California, Arizona, Kansas, Oregon, Illinois, Nevada, and Montana.

During the political crisis of Taft's administration, Roosevelt was absent from the United States, engaged in a hunting trip in Africa. When he returned in June, 1910, of Roosevelt the whole country was eager to know what he would have to say about Taft's stewardship. Many of Roosevelt's warmest personal friends had split with the president, the spirit of reform was rampant in the West, and there seemed to be a trend toward the Democratic party. A few weeks after his return Roosevelt plunged into the New York fight between the Hughes and Barnes wings of the Republican party, defeated Vice-President Sherman for the chairmanship of the State convention, and secured the nomination of Stimson for governor. The defeat of the latter in November was hailed as the "elimination" of Roosevelt, but he was not to be so easily disposed of.

On August 31, in a speech at Osawatomie, Kansas, he laid down a new political creed which he named the "New Nationalism." In this address he embraced the whole Western program: Federal regulation of trusts, a graduated income tax, tariff revision, labor legislation, direct primaries, and the recall not only of administrative officers, but of judicial decisions. In February, 1912, in an address before the constitutional convention of Ohio he came out strongly for the initiative, referendum, and recall.

In January, 1912, a group of "Insurgents" met at the house of Senator La Follette in Washington and organized the National Progressive Republican League. A second meeting of this group was held in the office of Senator Bourne in April. They assured La Follette of support if he would become a candi-

Organiza-
tion of the
Progressive
Republicans

date for the presidency. In July he began an active campaign, and in October a national conference of Progressive Republicans at Chicago indorsed him, although Pinchot, Garfield, and other friends of Roosevelt held aloof from the La Follette movement.

In February, 1912, seven Republican governors united in a letter to Roosevelt urging him to become a candidate for the Republican nomination. He replied, February 24, that he would accept the nomination if tendered, and expressed a desire to let the people decide the matter in direct primaries. He immediately began an active campaign for delegates to the Republican National Convention and the fight between himself and Taft, who expected the nomination, became extremely bitter. Roosevelt exclaimed, "My hat is in the ring," and showed every intention of waging the fight to a finish.

As the Republican machine stood by Taft he had a safe majority of the delegates that came to the Chicago convention, though Roosevelt carried the States in which primaries were held and secured over 400 delegates. In addition, the latter contested on various pretexts the seats of 250 Taft delegates, thus claiming a majority of the convention. The national committee refused to recognize these claims and Taft was renominated. Roosevelt denounced this action as "theft," addressed a mass convention of his followers, and sent them home to organize a new party.

The Democratic convention met in Baltimore July 1. The principal candidates for the nomination were Speaker Clark, Chairman Underwood of the Ways and Means Committee, Governor Harman of Ohio, and Woodrow Wilson, who had resigned the presidency of Princeton University to become governor of New Jersey. On a number of ballots Clark received a majority and his nomination seemed a question of time, but the Wilson followers

The cam-
paign of
1912

would not give up the fight, and Bryan, who regarded Clark as the candidate of the Democratic machines in the Eastern States, finally came out openly for Wilson, who was nominated on the forty-sixth ballot with Governor Thomas Marshall of Indiana for vice-president. Early in August Roosevelt's followers met in Chicago and organized the National Progressive party. The movement attracted many social reformers and free lances, but the number of political leaders in attendance was significantly small. Roosevelt was nominated amid great enthusiasm, and Governor Hiram Johnson of California was placed on the ticket as candidate for vice-president.

Roosevelt conducted a vigorous campaign, but his attack was directed against Taft rather than against Wilson. The antagonism between Republicans and Progressives became exceedingly bitter. Although Wilson's popular vote was about a million less than the combined Republican and Progressive votes, he received 435 electoral votes to Roosevelt's 81 and Taft's 15.

It was some months after the inauguration of Wilson before the politicians began to comprehend the new type **Woodrow Wilson** of man whom the people had called to the presidential chair. They readily admitted his intellectual force and his extraordinary gifts as a writer and speaker, but these powers did not convince them of his fitness for the presidency. What they could not understand was his grasp of the details of political organization, of the game of politics as actually played, and above all his sympathetic interpretation of the popular will, and his use of publicity as a weapon of coercion. Although Roosevelt had developed latent presidential powers to a striking extent, even he had failed to realize the full possibilities of the office.

Wilson's belief in presidential initiative and party leadership, based on principle and derived from a profound study

of English as well as of American politics, was more consistently exercised. He broke the precedents of a hundred years, disconcerted the politicians, and astonished but pleased the people by going before Congress and personally urging legislation on important matters. No president had ever been so successful in forcing the hand of Congress and compelling that body to enact into law party pledges and popular demands.

President Wilson called Congress to meet in extra session in April, 1913, and appeared before the two houses to urge in person the revision of the tariff to which the ^{Constructive} platform had pledged the party. The Under-^{legislation} wood Act, which became law October 3, 1913, was a revision downward of the existing tariff and was framed with a view to encouraging rather than restricting foreign trade. The Federal Reserve Act of December 23, 1913, radically revised the financial system which had grown up under the National Banking Act of 1863. Its object was to decentralize credits by establishing reserve banks in convenient centers throughout the country and thus preventing the accumulation of reserve currency in the New York banks. It has made the currency more elastic and greatly diminished the danger of financial panics to which the old system frequently gave rise.

In January, 1914, the president again appeared before Congress and proposed anti-trust legislation. He suggested a clearer definition of illegal practices than was provided by the somewhat vague and general language of the Sherman Act of 1890. He also proposed a trade commission with power to investigate and prevent illegal practices and interlocking directorates. These proposals were debated for months but finally embodied in the Federal Trade Commission and Clayton Anti-Trust bills which were passed in October, 1914. Congress then adjourned, having been in almost continuous session for eighteen months and having

passed measures of more far-reaching importance than any Congress since the Civil War.

In foreign affairs President Wilson had from the first exceedingly difficult problems to face. His administration

Anti-Japanese legislature in California was scarcely under way when the attention of the country was once more drawn to the anti-Japanese agitation in California. This time the State legislature proposed to deny to aliens who were ineligible to American citizenship the right to acquire agricultural land. The president sent Secretary Bryan to California to urge moderation upon the legislators. His mission was not wholly successful. The act as finally passed safeguarded the treaty rights of aliens, but as the Japanese treaty did not specifically cover the point in question, the Japanese were left without redress.

The dispute with England over the Panama Tolls Act was another question which the president had to handle

The Panama tolls question with care. The British government claimed that the exemption of American vessels engaged in the coastwise trade from the payment of tolls was a violation of the Hay-Pauncefote treaty. The president believed that the British interpretation of the treaty was correct and he had the difficult task of having to persuade Congress to repeal the exemption clause of the Tolls Act. This was done June 15, 1914.

In May, 1911, Porfirio Diaz, who had been president of Mexico since 1884, was forced to retire, and Francisco Madero,

Mexican question the leader of the revolt, was elected president. His efforts to improve the condition of the native

race aroused factional opposition and on February 18, 1913, he was seized and imprisoned as the result of a conspiracy formed by one of his generals, Victoriano Huerta, who forthwith proclaimed himself dictator. Four days later Madero was murdered while in the custody of Huerta's troops. Henry Lane Wilson, the American Ambassador,

promptly urged his government to recognize Huerta, but President Taft, whose term was rapidly drawing to a close, took no action and left the question to his successor.

Insurrections against Huerta's rule broke out almost immediately in several parts of the country and he was unable to extend his authority over the disaffected areas. President Wilson and Secretary Bryan were fully justified in refusing to recognize him, though they probably made a mistake in announcing that they would never do so, and in demanding his elimination from the presidential contest. This action made him deaf to advice from Washington and utterly indifferent to the destruction of American life and property.

One of the serious features of the Mexican situation was that the revolutions were financed by American capitalists who had large investments in mines, rubber plantations, and other enterprises. The American Ambassador, Henry Lane Wilson, was a partisan of Huerta, so that the State Department could not rely upon information derived from him and had to recall him at a critical moment. Meanwhile the financial interests which had backed the Huerta revolution were clamoring for his recognition, but the president paid no heed to their demands or criticisms and continued to pursue his "policy of watchful waiting."

The occupation of Vera Cruz

On April 20, 1914, the president asked Congress for authority to employ the armed forces of the United States in demanding redress for the arbitrary arrest of American marines at Vera Cruz, and the next day Admiral Fletcher was ordered to seize the customhouse at Vera Cruz. This he did after a sharp fight with Huerta's troops in which 19 Americans were killed and 70 wounded. The American chargé d'affaires, Nelson O'Shaughnessy, was at once handed his passports, and all diplomatic relations between the United States and Mexico were severed.

A few days later the representatives of Argentina, Brazil and Chile tendered their good offices for a peaceful settlement of the conflict, and President Wilson promptly accepted **Recognition of Carranza** their mediation. The resulting conference, which convened at Niagara, May 20, was not successful in its immediate object, but it resulted in the elimination of Huerta, who resigned July 15, 1914. On August 20 General Venustiano Carranza, head of one of the revolutionary factions, assumed control of affairs at the capital, but his authority was disputed by General Francisco Villa, another insurrectionary chief. On Carranza's promise to respect the lives and property of American citizens the United States forces were withdrawn from Vera Cruz in November, 1914.

In August, 1915, at the request of President Wilson, the six ranking representatives of Latin America at Washington made an unsuccessful effort to reconcile the contending factions in Mexico. On their advice, however, President Wilson decided in October to recognize the government of Carranza, who now controlled three fourths of the territory of Mexico, as the *de facto* government of the republic. As a result of this action Villa began a series of attacks on American citizens and raids across the border, which in March, 1916, compelled the president to send a punitive expedition into Mexico and later to dispatch most of the regular army and large bodies of militia to the border.

President Wilson's Mexican policy was avowedly based on his larger Pan-American policy. The fact should not

The new Pan-Americanism be overlooked that the rapid advance of the United States in the Caribbean Sea during the past two decades had created violent opposition and alarm in certain parts of Latin America. As a result of the Spanish War the United States acquired Porto Rico and a protectorate over Cuba; a little later President Roosevelt seized the Canal Zone from Colombia and established financial supervision over Santo Domingo; and

at the time of the Mexican crisis American marines occupied Hayti and Nicaragua. It was widely believed in Latin America that the United States had converted the Monroe Doctrine from a protective policy into a policy of imperialistic aggression. Another step in Caribbean expansion was taken in 1917 when the Danish West Indies were purchased.

Under these circumstances every move in the Mexican situation was viewed with suspicion. The understanding which had existed for some years between the three leading Latin-American States, Argentina, Brazil, and Chile, generally referred to as the A B C alliance, was believed to have been formed for the purpose of checking the encroachments of the United States.

In accepting the mediation of the A B C powers in Mexico and later asking their advice, President Wilson took a long step toward overcoming the resentment and alarm created by Roosevelt's aggressive action in seizing Panama and waving the big stick over our Southern neighbors. As a result of President Wilson's policy relations with Latin America were placed on a better footing than they had been for a generation.

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CHAPTER XXXI

THE EUROPEAN WAR

AT the outbreak of the great European War in August, 1914, President Wilson issued the usual proclamation of

The European War neutrality, and no one foresaw the issues that would shortly arise and the extent to which the vital interests of the United States would be involved. The first task was to bring home the thousands of American tourists who were stranded in all parts of Europe by the sudden mobilization of armies. The sudden interruption of international trade, particularly the export of cotton, caused a general business depression and the country was saved from a serious financial panic only by the operations of the Treasury Department under the new Federal Reserve Act.

Business revived when American firms began taking orders from England, France, and Russia for large supplies of arms and munitions of war. The sale of contraband was perfectly permissible under international law, but as the British navy controlled the seas, the Germans and Austrians were unable to get munitions from America, and denounced the trade in war supplies as one-sided and unneutral. Meanwhile the German invasion of Belgium with its ruthless atrocities had shocked the moral sense of the world and enlisted the sympathies of the great majority of Americans on the side of Germany's enemies. When the horrors of the Belgian invasion became fully known many Americans began to criticize the president for not having protested against, or tried to prevent, what nobody at the time anticipated or believed possible.

The British navy found little difficulty in stopping all direct trade with the enemy in contraband articles, but this was of little avail so long as the trade continued through the ports of Italy, Holland, and the Scandinavian countries. In order to stop this indirect carriage of contraband the British government inaugurated, in the early stages of the war, a policy of search and detention which imposed great hardships on neutral vessels and neutral commerce. The list of contraband articles was greatly enlarged and, on the plea that great freight ships could not be properly searched at sea, they were taken into port, sometimes far out of their course, and detained for indefinite periods.

Interference
with neutral
trade

Great Britain further assumed that contraband articles shipped to neutral countries adjacent to Germany and Austria were intended for them unless proof to the contrary was forthcoming. The United States protested vigorously against this policy, but the force of its protest was weakened by the fact that during the Civil War the American government had pursued substantially the same policy in regard to goods shipped by neutrals to Nassau, Havana, Matamoros, and other ports adjacent to the Confederacy. In fact the doctrine of continuous voyage or transshipment which England was applying was an American doctrine enunciated by the Supreme Court to justify the seizure of British goods during the Civil War.

Soon after the outbreak of hostilities Germany began scattering floating mines in the path of British commerce, and on November 3, 1914, the British government, as an act of retaliation, declared the North Sea a "war area" and warned neutral vessels not to enter without receiving sailing directions from the British squadron. Under pressure of what amounted to a stringent blockade, the German naval authorities decided to employ their large submarine flotilla, which had been unable to

Submarine
warfare

inflict any serious damage on the British navy, in an attack on British commerce. On February 4, 1915, Germany proclaimed a war zone around the British Isles, including the whole of the Channel, declared that all enemy merchant vessels encountered in these waters after the 18th would be destroyed, even though it might not be possible to save the passengers and crews, and added the warning that neutral vessels could not always be prevented from suffering from the attacks intended for enemy ships.

Against this decree the United States at once protested and warned the German government that it would be held to a "strict accountability" for the destruction of American ships or the loss of American lives. The submarine policy was nevertheless inaugurated on the date set and within a few weeks two Standard Oil tankers bearing the American flag had been torpedoed and several American citizens had lost their lives. Before the American government had decided what action to take the whole world was startled by the deliberate torpedoing, without warning, off the southern point of Ireland, of the great ocean liner *Lusitania*, May 7, 1915. She was bound from New York for Liverpool, and had 1917 souls on board. Of this number 1153 perished, including 114 American men, women, and children.

The German press hailed the sinking of the *Lusitania* as a triumph of the submarine policy. In America it was defended only by the extreme pro-Germans. The *Lusitania* correspondence press of the country denounced it as an act of barbarism and it was generally believed that the German ambassador would be given his passports as soon as the press reports of the disaster were officially confirmed. President Wilson, however, decided to exhaust the resources of diplomacy before breaking off relations with Germany, and in a calm and dignified note to the German government he reasserted the right of Americans to travel on the high seas, denounced the illegality of sub-

marine warfare, and called on Germany for a disavowal of the act and for reparation, so far as reparation was possible. The German reply was unsatisfactory. It claimed that the *Lusitania* was armed and therefore not entitled to be treated as an ordinary merchantman, and that the destruction of a ship bearing ammunition to the enemy was an act of "just self-defense."

President Wilson was on the point of dispatching a second note to Germany when Secretary of State Bryan tendered his resignation, stating as his reason that the new note meant war, and that therefore he could not sign it. Robert Lansing of New York, a well-known authority on international law and counselor for the Department of State, was appointed to succeed him.

While the *Lusitania* correspondence was still in progress, matters were brought to a crisis in August, 1915, by the torpedoing of the White Star liner *Arabic*, involving the loss of two American citizens. Count Bernstorff realized fully the seriousness of the situation, and without waiting for the American government to act, promptly assured Secretary Lansing that if it should prove true that American lives were lost on the *Arabic*, it was contrary to the intention of his government. This announcement indicated a change of policy on the part of Germany, and paved the way for further negotiation. The submarine campaign had not seriously interfered with British commerce, and it had brought Germany to the verge of war with the United States. On September 1, Count Bernstorff gave assurances that henceforth liners would not be sunk by submarines without warning and without saving the lives of noncombatants, provided they would not attempt to escape or offer resistance.

Germany
promises to
modify her
policy

This pledge, solemnly given in order to avert a crisis, was not kept in good faith. The German submarines continued their unlawful attacks and matters were again brought

The attack on the *Sussex* to a crisis in March, 1916, when the *Sussex*, an unarmed passenger steamer, was torpedoed without warning in the English Channel. About eighty passengers, including several citizens of the United States, were killed or injured. The German government at first denied responsibility for the disaster, but conclusive evidence was finally adduced, showing that the vessel was attacked by a German submarine, and on April 18 Secretary Lansing drew up an ultimatum declaring that unless the German government should immediately abandon its methods of submarine warfare against passenger and freight vessels, the United States would have "no choice but to sever diplomatic relations with the German Empire altogether." In reply the German government stated that its naval forces had received orders not to sink merchant vessels without warning and without saving human lives, unless the vessels should attempt to escape or to offer resistance. The United States accepted this assurance as an abandonment of the submarine policy announced on February 4, 1915, and for some months there was a marked cessation of submarine activity.

German activities in the United States After the German and Austrian governments had tried in vain to persuade the American government that the trade in munitions of war was unneutral, and after the German propagandists had failed in their efforts to get Congress to place an embargo on the export of munitions, an extensive conspiracy was formed to break up the trade by a resort to criminal methods. In July, 1915, an attempt was made by a German instructor in an American university to assassinate J. P. Morgan, the chief fiscal agent in America of the British government. Numerous explosions occurred in munitions plants, destroying many lives and millions of dollars of property, and bombs were placed in a number of ships engaged in carrying supplies to the allies. The Austrian ambassador,

Dr. Dumba, lent his active support to a plan to cripple the munitions plants by widespread strikes among employees. As a result, his recall was demanded by Secretary Lansing in September, 1915.

The German military and naval attachés at Washington, Captain Franz von Papen and Captain Karl Boy-Ed, were involved in these activities and in November their recall was likewise demanded. These conspiracies were not confined to foreigners, but many naturalized Americans of German origin were involved and arrayed against the government of the United States. The term "hyphenated" American was applied to them and soon came into general use. In his annual message of December, 1915, President Wilson publicly denounced those men who had "poured the poison of disloyalty into the very arteries of our national life," and urged Congress to enact laws which would enable him to handle the situation. The German propagandists resolved to defeat Wilson for reëlection at all hazards and thus made the "hyphen" a distinct issue in American politics.

The Congress which met in December, 1915, passed a number of measures of far-reaching importance. The National Defense Act provided for a regular army of 186,000 officers and men, a federalized National Guard of over 400,000 men, a system of civilian training camps for reserve officers, and the establishment of plants for the production of nitrates and other products used in the manufacture of munitions. The bill was passed after a long fight between the advocates of a new "continental army" and those who favored federalizing the existing National Guard. The secretary of war and the general staff favored the former, but their plan was defeated by Chairman Hay of the House Committee on Military Affairs. The president's apparent willingness to accept the Hay Bill led Secretary Garrison to resign from the cabinet.

The
National
Defense Act

in February, 1916, and a month later, Newton D. Baker of Ohio was appointed secretary of war.

The naval program was likewise the subject of heated debate. The measure which was finally enacted in August, 1916, went far beyond the original proposals of the secretary of the navy. It provided for an expenditure of over \$500,000,000 for new construction within the next three years.

In order to meet increased army and navy expenditures a new revenue act was passed in September, doubling the normal tax on incomes and raising the surtax on **Other important acts** large incomes to a maximum of 13 per cent on incomes of \$2,000,000 or over; the taxes on inheritances, on munitions, and on corporations were also increased.

Other important measures passed during the same session were the act establishing a Shipping Board, the act extending a larger measure of autonomy to the Filipinos and promising them ultimate independence, the act excluding from interstate commerce products into the manufacture of which child labor entered, and the usual river and harbor bill involving millions of needless expenditure.

The strong leadership displayed by Wilson in putting through Congress his program of progressive legislation **Renomination of Wilson** insured his renomination for the presidency, notwithstanding the severe criticism which his foreign policy called forth. His handling of the Mexican situation aroused bitter opposition, while his failure to secure effectively the rights of neutrals in the European War alienated many of those who had voted for him in 1912. There was, however, no opposition within the party and when the Democratic National Convention met in St. Louis, June 14, Wilson and Marshall were renominated unanimously.

The Republican convention which met in Chicago a week

earlier had a much more difficult situation to face. Its task was to choose a candidate who would be acceptable to the Progressive party and thus prevent that party from again placing Roosevelt in the field. In February Elihu Root made what was intended to be a "keynote" speech before a Republican convention in New York, denouncing the president's foreign policy as "weak, vacillating, and stultifying." The Republicans dared not openly criticize Wilson's legislative measures for fear of antagonizing the Progressives, so they were forced to make the foreign policy the paramount issue. Colonel Roosevelt had, however, been even severer than Root in his criticism of the administration, and his friends claimed that he was the logical candidate to place in the field against Wilson. The Progressives made it clear at any rate that they would not support Root.

Republican hopes were then centered in Justice Charles E. Hughes of the Supreme Court, who had been out of politics for six years, and whose views on the issues which had split the party were not known. While there was little enthusiasm for Hughes, it was thought that he would be acceptable to both Republicans and Progressives. His position on the Supreme Court gave him an excuse for maintaining a Sphinx-like silence on all the vital issues before the country.

With the hope of agreeing on the same candidate the Republican and Progressive conventions met in Chicago on the same day, June 7. It was soon evident that the Republican convention was controlled by the "Old Guard," as the conservatives and reactionaries were called, while the members of the Progressive convention were eager to nominate Roosevelt without waiting to see whom the Republicans would choose. Their leaders held them back, however, and proposed a conference between committees of the two conventions. The Republican conferees proposed Hughes as a compromise candidate, while

Plans of
Republicans
and
Progressives

Nomination
of Hughes

the Progressives insisted on Roosevelt, and no agreement was reached. On the fourth day the Republican convention began balloting, and it was soon evident that Hughes would be nominated. On learning this the Progressives nominated Roosevelt by acclamation a few seconds before the Republicans finished balloting for Hughes.

Eventually Roosevelt declined the Progressive nomination and urged his followers to support Hughes, but many of them refused to be led back into the Republican party and cast their votes for Wilson. Hughes conducted an active campaign, traveling from the Atlantic to the Pacific, and later making a second tour through the Middle West. He violently assailed Wilson's Mexican policy, but on the vital issues raised by the European War he was noncommittal. He was apparently trying to hold the German-American vote, which was normally Republican, while Roosevelt created widespread enthusiasm among native Americans by denouncing in emphatic terms the misdeeds of Germany and the failure of Wilson to protect American lives and property.

About the middle of August a new turn was given to the campaign by the threat of a general strike of railroad men for an eight-hour day and extra pay for overtime. **The threatened railroad strike** In order to avert the threatened calamity to business and industry, President Wilson invited the labor leaders and the railroad managers to a conference at the White House, and proposed that the demands of the men be provisionally conceded and that in the meantime Congress should authorize him to appoint a commission to observe and report the results. This proposal was accepted by the labor leaders but rejected by the railroad presidents.

The strike was ordered for September 4, and on August 29 the president went before Congress and urged **The Adamson law** immediate legislation along the line of his proposals. He suggested, in addition, the enlargement of the

Interstate Commerce Commission, increased freight rates, and provision for a public investigation before a strike or lockout might be lawfully attempted. Congress promptly passed the Adamson law embodying the eight-hour day, extra pay for overtime, and the commission to observe and report, but postponed action on the other proposals. The act was signed September 3 and the strike averted.

The president's course was widely assailed as a surrender under pressure to the labor leaders, who, it was claimed, had taken advantage of the political situation at home and the delicate state of foreign relations to gain their ends. The Adamson law was eagerly seized by Hughes as a campaign issue and became the main target of his attack during the rest of the canvass.

Throughout the greater part of the campaign President Wilson remained at his summer residence, "Shadow Lawn," where he received delegations and delivered a number of carefully prepared addresses. He appealed to his record and paid little attention to the criticisms of his opponents. Up to the last many voters were undecided as to how they would cast their ballots. The election turned out to be one of the closest in the history of the country, and for several days after the votes were cast the result was in doubt. By nine o'clock of election night it was evident that Hughes had carried New York, Indiana, and Illinois, and many of the Democratic papers, including the *New York Times*, conceded his election.

The next day, however, when the country districts and the smaller States of the West were heard from, the returns were more favorable for Wilson. Hughes carried West Virginia, Delaware, and all of the northern States east of the Mississippi except New Hampshire and Ohio; west of the Mississippi he carried only Iowa, Minnesota, South Dakota, and Oregon. The remaining thirty-one States were carried by Wilson.

The election probably turned on the Progressive vote of the West more than on any other one factor. This was particularly true of the vote in California, where conditions were peculiar. Governor Hiram Johnson, who had been the Progressive candidate for vice-president four years before, was elected to the United States Senate on the Republican ticket by nearly 300,000 votes over his Democratic opponent, while Wilson carried the State by a majority of 3800 over Hughes. The latter lost the State by identifying himself during his visit to California with the leaders of the reactionary faction of the Republican party, thus alienating the former Progressives.

In this campaign the women's vote figured conspicuously for the first time in a presidential contest, and the first woman representative was elected to Congress, Miss Jeanette Rankin of Montana, but the women's vote does not appear anywhere to have had a decisive effect on the outcome. The same was true of the German vote and of the labor vote, both of which were divided.

During the summer and fall of 1916 the European armies were at a deadlock on the western front. In the East the Germans made a successful drive into Rumania and on December 6 occupied the capital city, Bucharest. Six days later Germany, acting for herself and her allies, announced to the Entente Powers her willingness "to enter forthwith upon negotiations for peace." No terms were proposed and she let it be known that none would be announced until the offer to negotiate was accepted. President Wilson transmitted the German note to England and France without comment. On the 18th, however, he addressed an identical note to the governments of all the nations at war requesting them to state definitely the terms on which they would deem it possible to make peace.

This note was for a time regarded in England and France

as unwarranted meddling and as an indorsement, in a way, of the German proposal, but when the replies of the warring nations were made public, the first impressions of the president's move were modified. The Central Powers merely replied that they were ready to enter into negotiations and tried to fasten on their enemies the responsibility for continuing the war. The Entente Powers, on the other hand, stated fairly definitely the measure of reparation and restitution and the guarantees which they considered indispensable conditions of a permanent peace.

Meanwhile it was rumored that Germany was constructing ocean-going submarines of a new and larger type and that she intended to resume unrestricted submarine warfare on a more extensive scale than ever. On January 22, 1917, President Wilson delivered a notable address to the Senate, in which he outlined the principles on which the United States would be willing to enter into a League for Peace, hoping that if a satisfactory basis for the future peace of the world could be established, the war might be brought to a close. On January 31, however, the German ambassador handed Secretary Lansing a formal note announcing a new zone around Great Britain and France and warning him that all ships, those of neutrals included, found within the zone after February 1 would be sunk.

The announcement
of unre-
stricted
submarine
warfare
after Febru-
ary 1, 1917

The eyes of the country were again focused on the president with an intensity of interest which had not been felt since the sinking of the *Lusitania*. On February 3, he appeared before Congress and in calm and measured tones announced that Count Bernstorff had that day been given his passports and that all diplomatic intercourse with Germany was at an end. This announcement was enthusiastically received by the great majority of the American people, who were soon in a state of hourly expectation of

the "overt act" which the president said he would await before recommending further action.

During the next three weeks two American ships were sunk by German submarines, but without loss of life. Ship-owners were, however, unwilling to send their vessels to sea, and American commerce was tied up in American ports under a practical embargo laid by decree of the German government. Under

The debate on the proposal to arm merchant ships these circumstances President Wilson again appeared before Congress, February 26, and asked for authority to arm American merchantmen, in order that they might protect themselves in passing through the danger zone. The House voted overwhelmingly for the resolution giving the president the necessary authority, but under the rules of the Senate permitting unlimited debate, a small group of eleven senators, led by La Follette of Wisconsin and Vardaman of Mississippi, prevented a vote being taken and Congress adjourned March 4 without action by the Senate.

The Zimmermann note Popular indignation against the recalcitrant senators was raised to a fever heat by the disclosure, on March 1, of the famous "Zimmermann Note," in which the German foreign secretary invited Mexico to unite with Germany and Japan in a war against the United States. The dispatch was addressed to the German minister in Mexico and was transmitted through Count Bernstorff at Washington, but was intercepted and came into the possession of the State Department. Both Mexico and Japan indignantly denied any knowledge of the note or any possibility of their being led into such a scheme.

Revision of Senate rules The failure of the Senate to act on the resolution giving the president authority to arm merchantmen made it necessary for him to call an extra session of Congress, which convened April 2. The Senate had already convened in extra session on March 5, and in response to the demands of public opinion had revised its rules, placing

reasonable limits on debate and making it impossible for a small group to delay action indefinitely.

Meanwhile the president had been forced to the conclusion that the arming of merchantmen would not be a sufficiently effective means of dealing with the submarine terror. On April 2 he appeared before a joint session of the two Houses and urged "that the Congress declare the recent course of the German government to be in fact nothing less than war against the government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense, but also to exert all its power and employ all its resources to bring the government of the German Empire to terms and end the war."

The presi-
dent's war
address

The president did not, however, stop here. The recent Russian revolution had created a new international outlook and given him a new vision of the future. In his address, therefore, he laid bare the menace to all free peoples of an autocratic government like that of Germany and proclaimed a world-wide war of democracy against autocracy. The lofty idealism of the president's address struck a responsive chord in the hearts of lovers of liberty the world over. "It is a fearful thing," he said in conclusion, "to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts, — for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives

and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured."

On April 6, after discussion lasting several days as to the form the resolution should take, Congress finally declared that a state of war existed between Germany and the United States. A few days later the vast sum of seven billion dollars was appropriated for carrying on the war. This was the largest single appropriation made by any legislative body in the history of the world. Nearly half of it was to be used in loans to foreign governments. The foreign loan was to be raised by bond issues, but the president urged that our own expenditures for the war be raised as far as possible by increased taxation. Congress at once undertook the task of providing for a great army to be raised by selective draft and of framing new revenue laws.

**War with
Germany
declared**

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APPENDIX A.

DECLARATION OF INDEPENDENCE.

IN CONGRESS, JULY 4, 1776.

A DECLARATION BY THE REPRESENTATIVES OF THE UNITED STATES OF AMERICA, IN CONGRESS ASSEMBLED.

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident:—That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

Appendix A

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained ; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature — a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise ; the State remaining, in the mean time, exposed to all the dangers of invasions from without, and convulsions within.

He has endeavored to prevent the population of these States ; for that purpose obstructing the laws for the naturalization of foreigners ; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance.

He has kept among us in times of peace, standing armies, without the consent of our Legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitutions, and unacknowledged by our laws ; giving his assent to their acts of pretended legislation :

For quartering large bodies of armed troops among us ;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States ;

For cutting off our trade with all parts of the world ;

For imposing taxes on us without our consent ;

For depriving us, in many cases, of the benefits of trial by jury ;

For transporting us beyond seas, to be tried for pretended offenses ;

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies ;

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments ;

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms ; our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity ; and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the

Appendix A

world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, That these united colonies are, and of right ought to be, free and independent states ; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved ; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And, for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

The foregoing Declaration was, by order of Congress, engrossed, and signed by the following members :—

JOHN HANCOCK.

NEW HAMPSHIRE.

Josiah Bartlett,
William Whipple,
Matthew Thornton.

MASSACHUSETTS BAY.

Samuel Adams,
John Adams,
Robert Treat Paine,
Elbridge Gerry.

RHODE ISLAND.

Stephen Hopkins,
William Ellery.

CONNECTICUT.

Roger Sherman,
Samuel Huntington,
William Williams,
Oliver Wolcott.

NEW YORK.

William Floyd,
Philip Livingston,
Francis Lewis,
Lewis Morris.

NEW JERSEY.

Richard Stockton,
John Witherspoon,
Francis Hopkinson,
John Hart,
Abraham Clark.

PENNSYLVANIA.

Robert Morris,
Benjamin Rush,
Benjamin Franklin,
John Morton,
George Clymer,
James Smith,
George Taylor,
James Wilson,
George Ross.

DELAWARE.

Cæsar Rodney,
George Read,
Thomas M'Kean.

MARYLAND.

Samuel Chase,
William Paca,
Thomas Stone,

Charles Carroll, of Carrollton.

VIRGINIA.

George Wythe,
Richard Henry Lee,
Thomas Jefferson,
Benjamin Harrison,
Thomas Nelson, Jr.,
Francis Lightfoot Lee,
Carter Braxton.

NORTH CAROLINA.

William Hooper,
Joseph Hewes,
John Penn.

SOUTH CAROLINA.

Edward Rutledge,
Thomas Heyward, Jr.,
Thomas Lynch, Jr.,
Arthur Middleton.

GEORGIA.

Button Gwinnett,
Lyman Hall,
George Walton.

Resolved, That copies of the Declaration be sent to the several assemblies, conventions, and committees, or councils of safety, and to the several commanding officers of the continental troops: that it be proclaimed in each of the United States, and at the head of the army.

APPENDIX B.

CONSTITUTION OF THE UNITED STATES OF AMERICA.

PREAMBLE.

WE, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I. LEGISLATIVE DEPARTMENT.

Section I. Congress in General.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

Section II. House of Representatives.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative; and until such enumera-

tion shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When vacancies happen in the representations from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

Section III. Senate.

[1. The Senate of the United States shall be composed of two senators from each State, chosen by the Legislature thereof for six years, and each Senator shall have one vote.]¹

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; [and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.]¹

3. No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their officers, and also a president *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in case of impeachment shall not extend farther than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted

¹ Changed by Amendment XVII.

shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

Section IV. Both Houses.

1. The times, places, and manner of holding elections for senators and representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing senators.
2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Section V. The Houses Separately.

1. Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.
2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.
3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.
4. Neither house during the session of Congress shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

Section VI. Disabilities of Members.

1. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony, breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to or returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall

have been increased, during such time ; and no person holding any office under the United States shall be a member of either house during his continuance in office.

Section VII. Mode of Passing Laws.

1. All bills for raising revenue shall originate in the House of Representatives ; but the Senate may propose or concur with amendments, as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States ; if he approve, he shall sign it ; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States ; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Section VIII. Powers granted to Congress.

The Congress shall have power :

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States ; but all duties, imposts, and excises shall be uniform throughout the United States ;

2. To borrow money on the credit of the United States ;

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes ;

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;
5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures;
6. To provide for the punishment of counterfeiting the securities and current coin of the United States;
7. To establish post-offices and post-roads;
8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;
9. To constitute tribunals inferior to the Supreme Court;
10. To define and punish felonies committed on the high seas, and offenses against the law of nations;
11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;
12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years;
13. To provide and maintain a navy;
14. To make rules for the government and regulation of land and naval forces;
15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;
16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;
17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased, by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; and,
18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or office thereof.

Section IX. Powers denied to the United States.

1. The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the

Congress prior to the year one thousand eight hundred and eight ; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of *habeas corpus* shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it.

3. No bill of attainder, or *ex-post-facto* law, shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any State.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another ; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the treasury but in consequence of appropriations made by law ; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States ; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

Section X. Powers denied to the States.

1. No State shall enter into any treaty, alliance, or confederation ; grant letters of marque and reprisal ; coin money ; emit bills of credit ; make any thing but gold and silver coin a tender in payment of debts ; pass any bill of attainder, *ex-post-facto* law, or law impairing the obligation of contracts ; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws ; and the net produce of all duties and imposts laid by any State on imports or exports shall be for the use of the treasury of the United States, and all such laws shall be subject to the revision and control of the Congress.

3. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in times of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war unless actually invaded, or in such imminent danger as will not admit of delays.

ARTICLE II. EXECUTIVE DEPARTMENT.*Section I. President and Vice-President.*

1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the State may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. [The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then, from the five highest on the list, the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.]¹

4. The Congress may determine the time of choosing the electors, and the day on which they will give their votes, which day shall be the same throughout the United States.

5. No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to

¹ Altered by the XIIth Amendment.

the office of President ; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President ; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President ; and such officer shall act accordingly, until the disability be removed or a President shall be elected.

7. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation :

“ I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States.”

Section II. Powers of the President.

1. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States ; he may require the opinion in writing of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices ; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur ; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for and which shall be established by law ; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions, which shall expire at the end of their next session.

Section III. Duties of the President.

He shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

Section IV. Impeachment of the President.

The President, Vice-President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

ARTICLE III. JUDICIAL DEPARTMENT.*Section I. United States Courts.*

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Section II. Jurisdiction of the United States Courts.

1. The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign states, citizens, or subjects.¹

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact,

¹ Altered by XIth Amendment.

with such exceptions and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Section III. Treason.

1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason; but no attainer of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV. THE STATES AND THE FEDERAL GOVERNMENT.

Section I. State Records.

Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

Section II. Privileges of Citizens, etc.

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Section III. New States and Territories.

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of, and make all needful rules and regulations respecting, the territory or other property belonging to the United States ; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

Section IV. Guarantee to the States.

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion ; and, on application of the Legislature, or of the executive (when the Legislature cannot be convened), against domestic violence.

ARTICLE V. POWER OF AMENDMENT.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress ; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first Article ; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI. PUBLIC DEBT, SUPREMACY OF THE CONSTITUTION, OATH OF OFFICE, RELIGIOUS TEST.

1. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation.

2. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land ; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution ; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII. RATIFICATION OF THE CONSTITUTION.

The ratifications of the Conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth.

AMENDMENTS TO THE CONSTITUTION.**ARTICLE I.**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof ; or abridging the freedom of speech, or of the press ; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in active service in time of war or public danger ; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb ; nor shall be compelled, in any criminal case, to be a witness against himself ; nor

Appendix B

be deprived of life, liberty, or property, without due process of law ; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation ; to be confronted with the witnesses against him ; to have compulsory process for obtaining witnesses in his favor ; and to have the assistance of counsel for his defense.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved ; and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not granted to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII.

1. The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves ; they shall name in their ballots the person voted for as President, and in distinct ballots the person

voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately by ballot the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of death or other constitutional disability of the President.

2. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII.

1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV.

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No States shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;

nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male members of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

3. No person shall be a senator or representative in Congress, or elector of President and Vice-President, or holding any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

5. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

ARTICLE XV.

1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude.

2. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

ARTICLE XVI.¹

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

ARTICLE XVII.²

The Senate of the United States shall be composed of two senators from each State, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the Constitution.

¹ Passed July, 1909; proclaimed February 25, 1913.

² Passed May, 1912, in lieu of paragraph one, Section 3, Article I, of the Constitution, and so much of paragraph two of the same Section as relates to the filling of vacancies; proclaimed May 31, 1913.

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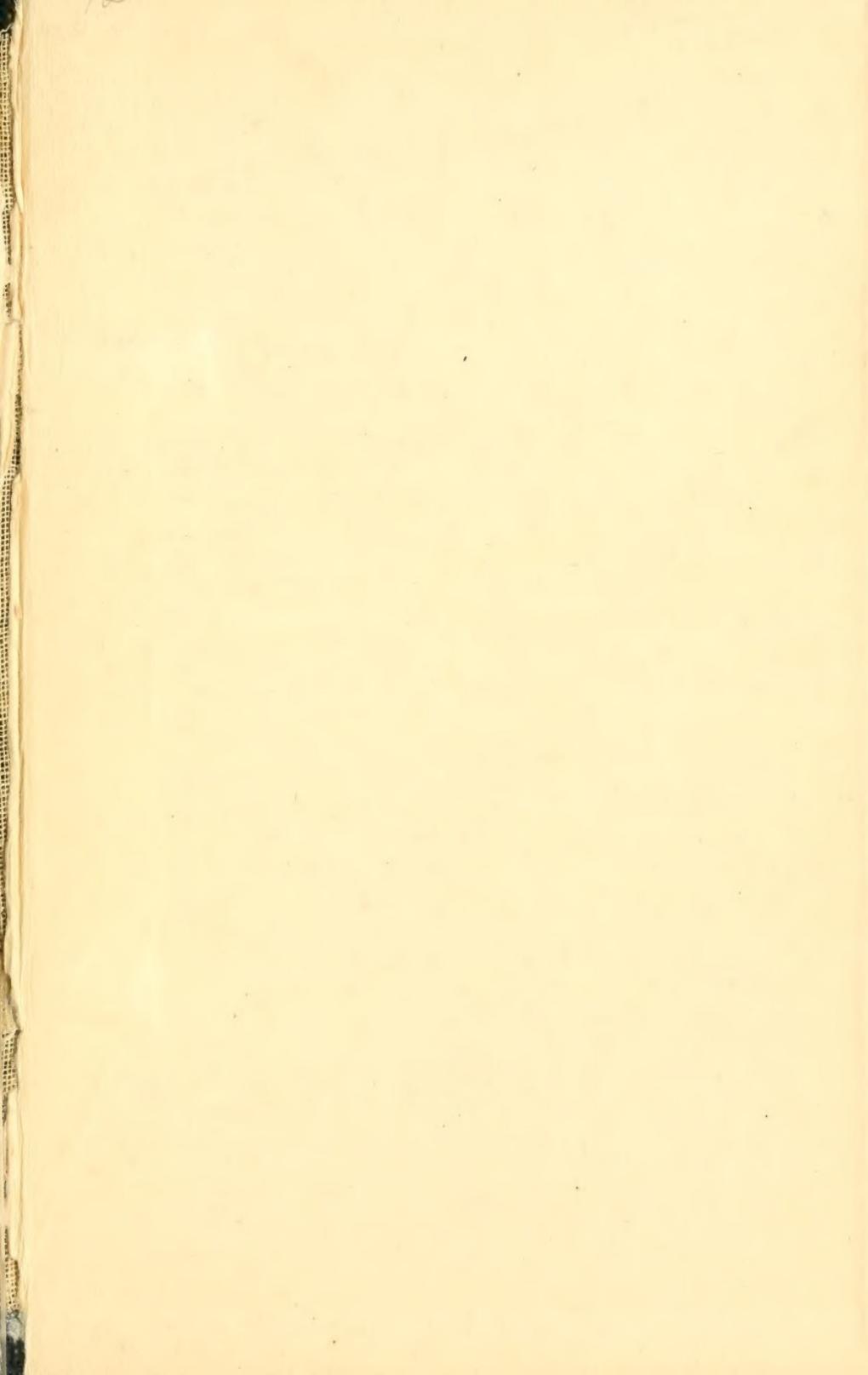
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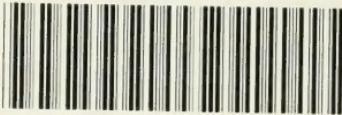
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